VOLUME 4

# TRANSCRIPT OF RECORD

## Supreme Court of the United States

OCTOBER TERM, 1965

## No. 131

MARGARET L. HOLT, ET AL., PETITIONERS,

*vs.*

ALLEGHANY CORPORATION, ET AL.

## No. 132

MARGARET L. HOLT, ET AL., PETITIONERS,

*vs.*

ALLAN P. KIRBY, ET AL.

ON WRITS OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

PETITIONS FOR CERTIORARI FILED MAY 12, 1965
CERTIORARI GRANTED JUNE 1, 1965

SUPREME COURT OF THE UNITED STATES

**OCTOBER TERM, 1965**

## No. 131

MARGARET L. HOLT, ET AL., PETITIONERS,

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[fol. 1725]

IN THE UNITED STATES DISTRICT COURT

PLAINTIFFS' EXHIBIT No. 350

ROBERT W. PURCELL
3600 Terminal Tower
Cleveland 13, Ohio

May 9, 1950

Mr. Robert R. Young
4500 Chrysler Building
New York 17, New York

Mr. Allan P. Kirby
17 De Hart Street
Morristown, New Jersey

Gentlemen:

The stockholders of Alleghany Corporation at the annual meeting held May 3, 1950, approved the acquisition by you and J. J. Anzalone of shares of Investors Diversified Services Class A common stock from the corporation in exchange for Series A preferred stock.

Since the date of the Alleghany meeting, I have canvessed the public market on Investors Diversified Services Class A stock, and it presently appears impossible to acquire a sufficient number of additional shares to complete the program contemplated by the agreement between the corporation and myself. If I were now to enter the market the price of the stock would probably be driven very high. You will recall that my previous purchases caused the market to increase from 5 to above 10. I believe we all agree that this is undesirable.

My holdings of Investors Diversified Services Class A stock presently aggregate 3,828 shares, having a cost of

$21,291.62, leaving a balance of $103,708.38 to be used to bring my purchases of Investors Diversified Services stock to a total cost of $125,000. Each of you has expressed a willingness, in the event I am unable to acquire in the market a sufficient number of shares of Investors Diversified Services stock, to sell to me, in equal amounts at $8.1453 per share, such portion of the shares of Class A stock acquired by you pursuant to the exchanges as will enable me to have an investment in Investors Diversified Services totaling approximately $125,000. It appears that I will be unable to make the desired purchases in the market. Therefore, if you are still willing to sell me the necessary [fol. 1726] shares I would like to avail myself of the opportunity of making the purchase.

If these shares are made available to me on an equal basis, I am prepared to proceed to purchase from each of you 6,366 shares of Investors Diversified Services Class A stock at $8.1453 per share, or a total of $51,852.98, and make immediate payment of the purchase price.

Sincerely yours,

/s/ R. W. PURCELL

RWP/r
md

INVESTORS DIVERSIFIED SERVICES, INC.
MINNEAPOLIS

OFFICE OF THE PRESIDENT
E. E. CRABB

May 22, 1950

Mr. Allan P. Kirby
17 DeHart Street
Morristown, N. J.

Dear Mr. Kirby:

The enclosed is copy of the Mortgage Department projections for 1950 which I promised to send you in accordance with our discussions at the meeting on Friday last.

It was a real pleasure to see you again and to get the benefit of your views and those of Mr. Carter and Mr. Young. It was likewise a privilege to have the opportunity to report in some detail our operations in the sales and mortgage fields. Conferences of this kind are most helpful to us in the formation and the execution of over-all investment policy.

Kindest personal regards.

Sincerely yours,

Earl E Crabb

E. E. Crabb

EEC:EMM
Enc.

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 351
1207
[fol. 1727]

April 25, 1950

TO: Board of Directors
I.D.S.

FROM: Mortgage Division

SUBJECT: Mortgage Operations

| | |
|---|---|
| EXHIBIT I | Mortgage Operations - 1949 |
| EXHIBIT "A" | Projection Profit & Loss, Mortgage Division 1950 |
| EXHIBIT "B" | Preliminary Projection Profit & Loss, 1951 |
| EXHIBIT "C" | Anticipated Fundings & Sales |
| EXHIBIT "D" | Report Mortgage Sales, First Three Months |
| EXHIBIT "E" | Consolidated Report FHMA Commitments |
| EXHIBIT "F" | Delinquent Loan Comparison Report |
| EXHIBIT "G" | Participation Project Report |

1208 [fol. 1728]

1728

EXHIBIT I

RESULTS OF MORTGAGE OPERATIONS - 1949

| | | | |
|---|---|---|---|
| 1. | New loans funded | | $153,000,000 |
| 2. | Total new commitments made during year: | | |
| | (a) FHA | $ 56,500,000 | |
| | (b) Conventional | 121,500,000 | |
| | (c) G.I. | 19,500,000 | 197,500,000 |
| 3. | Loans sold: | | |
| | (a) ISA & ISTC | $ 37,000,000 | |
| | (b) Other companies | 70,000,000 | 107,000,000 |
| 4. | Commitments, firm & tentative, carry over year end: | | |
| | (a) Firm | $ 68,000,000 | |
| | (b) Tentative | 50,000,000 | 118,000,000 |
| 5. | Profit & Loss: | | |
| | (a) Gross income from mortgage operations | $ 4,334,000* | |
| | (b) Expenses of field offices | 2,205,000** | |
| | (c) Net income before Home Office Expense (Previously projected, $1,951,000) | | 2,129,000*** |

*Includes $169,000 subsidiary income not credited on company P & L to mortgage operations.

**Includes $142,000 cancellation fee on serviced mortgages.

***After $325,000 write-off on participation projects.

6. Miscellaneous Results:
   (a) Cancellation of $14,200,000 of serviced mortgages.
   (b) Mortgage float reduced from $4,073,000 to $240,000.
   (c) Land loans reduced from $790,000 to $297,000.
   (d) Over-all interest rate on permanent portfolio increased from 4.336% to 4.469%.
   (e) Over-all interest rate, including construction loans, increased from 4.361% to 4.629%.*

*Results in approximately $500,000 additional interest collected on same amount invested.

[fol. 1729]

1729

1209

EXHIBIT "A"

PROFIT & LOSS - MORTGAGE DIVISION
1950

A projection was presented to the Board of Directors early this year on the above subject. The following shows a comparison of the projection as submitted and the actual results for the first three months:

| | Projection | Actual for first 3 mos. |
|---|---|---|
| INCOME: | | |
| 1. Construction Loan Fees | $6,000,000(1) | $1,276,000(1) |
| 2. Commissions on insurance | 250,000 | 64,000 |
| 3. Miscl. mortgage income | 20,000 | 3,300 |
| 4. First mortgage payoff penalties | 50,000 | 22,000 |
| 5. Management fees | 35,000 | 3,000 |
| 6. Miscl. income - loan agencies | 60,000 | 36,000 |
| 7. Premiums - mortgages sold (non-affiliated companies) | 400,000 | 62,000 |
| 8. Premiums - mortgages sold (affiliated companies) | 500,000 | 183,000 |
| 9. Service fees - non-affiliated companies | 350,000 | 86,000 |
| 10. Service fees - affiliated companies | 650,000 | 148,000 |
| | $8,315,000 | $1,883,300 |
| EXPENSES: | | |
| 1. Salaries | $ 800,000 | $ 204,000 |
| 2. Rent | 75,000 | 18,000 |
| 3. Taxes | 15,000 | 10,000 |
| 4. Attorneys' Fees | 25,000 | 2,100 |
| 5. Office Expence | 60,000 | 17,600 |
| 6. Travel Expense | 80,000 | 8,800 |
| 7. Communications | 80,000 | 20,000 |
| 8. Commissions & Premiums | 50,000 | 16,900 |
| 9. Commissions & premiums paid affiliated companies | 150,000 | 32,500 |
| 10. Service fees | 200,000 | 43,300 |
| 11. Service fees paid affiliated companies | 150,000 | 44,200 |
| 12. Miscellaneous | 60,000 | 11,900 |
| 13. Cancellation fees - correspondents | 200,000 | 24,800 |
| 14. FHMA commitment fees | 350,000 | 259,000 |
| 15. Losses, participation projects & foreclosures | 300,000 | -0- |
| | $2,595,000 | $ 713,100 |

| RECAPITULATION: | Year 1950 | Results first 3 Mos. |
|---|---|---|
| INCOME | $8,315,000 | $1,883,300 |
| EXPENSES | [illegible] | 713,100 |
| Net before Fees | | |
| Office Inc. | $5,720,000 | $1,170,200 |

1730

[fol. 1730]

1210

(1) Construction loan fees of $6,000,000 include profits of participation projects, none of which have been collected during the first three months of 1930. This projection also includes earnings of subsidiary mortgage companies which are not credited to Mortgage Division on company Profit & Loss statements. This figure does not include commissions collected but not credited.

Mortgage Division estimates net income next three months of $1,400,000. Because there are so many governing factors the estimate given cannot be considered as more than a guess.

1211

[fol. 1731]

[fol. 1732]

EXHIBIT "B"

PRELIMINARY PRODUCTION PROFIT & LOSS 1951

| | | | |
|---|---|---|---|
| INCOME: | | | |
| 1. | Construction Loan Fees | $3,500,000 | |
| 2. | Commissions on insurance | 250,000 | |
| 3. | Misc. mortgage income | 25,000 | |
| 4. | First mortgage payoff penalties | 60,000 | |
| 5. | Management fees | 90,000 | |
| 6. | Misc. Income - loan agencies | 75,000 | |
| 7. | Premiums, mtges. sold (non-affiliated cos.) | 100,000 | |
| 8. | Premiums, mtges. sold (affiliated companies) | 600,000 | |
| 9. | Service fees - non-affiliated companies | 400,000 | |
| 10. | Service fees - affiliated companies | 750,000 | $5,850,000 |
| EXPENSES: | | | |
| 1. | Salaries | $ 900,000 | |
| 2. | Rent | 75,000 | |
| 3. | Taxes | 20,000 | |
| 4. | Attorneys' Fees | 25,000 | |
| 5. | Office Expense | 60,000 | |
| 6. | Travel Expense | 80,000 | |
| 7. | Communications | 85,000 | |
| 8. | Commissions & premiums | 25,000 | |
| 9. | Commissions & premiums paid affiliated companies | 150,000 | |
| 10. | Service fees | 100,000 | |
| 11. | Service fees paid affiliated companies | 150,000 | |
| 12. | FHMA commitment fees | -0- | |
| 13. | Miscellaneous | 60,000 | |
| 14. | Cancellation fees - correspondents | 50,000 | |
| 15. | Losses, participation projects & foreclosures | 300,000 | $2,080,000 |
| | Net Income before Home Office Expense | | $3,770,000 |

1212

1732

EXHIBIT "C"

## ANTICIPATED FUNDINGS & SALES

A projection was presented to the Board of Directors early this year on the above subject. The following tabulation shows the projection as submitted as compared with actual results for the first quarter:

| | | |
|---|---|---|
| Fundings | Projection | $58,600,000 |
| | Actual | 53,300,000 |
| Sales | Projection | 25,000,000 |
| | Actual | 24,910,000 |

| | | Projected | Revised Projection (1) |
|---|---|---|---|
| Second Quarter: | Fundings | $46,500,000 | $47,000,000 |
| | Sales | 25,300,000 | 25,300,000 |
| Third Quarter: | Fundings | 39,000,000 | 35,000,000 |
| | Sales | 26,200,000 | 26,200,000 |
| Fourth Quarter: | Fundings | 30,000,000 | 28,000,000 |
| | Sales | 25,100,000 | 25,100,000 |

(1) On the basis of revised projection, the company would be in excess cash position the last six months totaling some $20,000,000. In so far as mortgage operations are concerned this can be handled by,

(a) retaining $20,000,000 of the better 4% mortgages, or

(b) new means of conventional financing on participation projects, or

(c) a $10,000,000 fund for 501 participation projects.



[fol. 1733]

1213

EXHIBIT "D"

## CONSOLIDATED REPORT OF ALL MORTGAGE SALES

### TOTAL LOANS SOLD DURING MARCH, 1950

| SALE TO: | AMOUNT |
|---|---|
| Investors Syndicate of America, Inc. | $ 8,020,993.97 |
| Investors Syndicate Title & Guaranty Co. | 395,050.23 |
| Federal National Mortgage Association | 6,368,942.64 |
| Institutional Securities Corporation | 2,032,462.83 |
| Northsides Savings Bank | 778,035.81 |
| Union Dime Savings Bank | 724,561.39 |
| American Savings Bank | 627,443.57 |
| Bronx Savings Bank | 584,747.10 |
| Excelsior Savings Bank | 923,189.30 |
| Harlem Savings Bank | 437,626.20 |
| Kings Highway Savings Bank | 520,596.28 |
| Sales of Refinance of loans serviced for others | 47,421.01 |
| | $21,461,070.33 |

### TOTAL LOANS SOLD THIS YEAR THROUGH MARCH, 1950

| | |
|---|---|
| Investors Syndicate of America, Inc. | $15,376,458.75 |
| Investors Syndicate Title & Guaranty Co. | 1,111,067.44 |
| Federal National Mortgage Association | 14,003,988.96 |
| Institutional Securities Corporation | 4,267,407.30 |
| Equitable Life Insurance Co. of Iowa | 771,130.00 |
| Modern Woodmen of America | 797,074.91 |
| Kings Highway Savings Bank | 1,208,462.03 |
| Hudson Company National Bank | 10,143.19 |
| Prudential Insurance Company of America | 62,771.75 |
| Northsides Savings Bank | 778,035.81 |
| Union Dime Savings Bank | 724,561.39 |
| American Savings Bank | 627,443.57 |
| Bronx Savings Bank | 584,747.10 |
| Excelsior Savings Bank | 923,189.30 |
| Harlem Savings Bank | 437,626.20 |
| Sales of Refinance of loans serviced for others | 47,421.01 |
| | $41,731,528.71 |

[fol. 1734]

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1734

EXHIBIT "E"

CONSOLIDATED REPORT OF ALL FHA COMMITMENT AND PURCHASE CONTRACT SALES

TO MARCH 31, 1950

| | Submitted | To Be Submitted | Paid for | Submitted not paid for |
|---|---|---|---|---|
| ALBANY | 38 loans<br>$ 468,120.01 | loans<br>$ | 38 loans<br>$ 468,120.01 | loans<br>$ |
| ATLANTA | 234 loans<br>$ 2,645,262.67 | 156 loans<br>$ 1,62[illegible],625.00 | 143 loans<br>$ 1,939,229.32 | 91 loans<br>$ 706,033.35 |
| BIRMINGHAM | 255 loans<br>$ 1,587,601.14 | 3 loans<br>$ 18,250.00 | 252 loans<br>$ 1,568,051.14 | 3 loans<br>$ 19,550.00 |
| CHATTANOOGA | 37 loans<br>$ 130,255.37 | loans<br>$ | 37 loans<br>$ 130,255.37 | loans<br>$ |
| CHICAGO | 85 loans<br>$ 2,920,377.00 | loans<br>$ | 84 loans<br>$ 2,881,177.00 | 1 loans<br>$ 39,200.00 |
| CLEVELAND | 79 loans<br>$ 473,149.31 | 45 loans<br>$ 8,[illegible],875.00 | 79 loans<br>$ 473,149.31 | loans<br>$ |
| DALLAS | 826 loans<br>$ 7,102,203.42 | 9 loans<br>$ 60,300.00 | 826 loans<br>$ 7,102,203.42 | loans<br>$ |
| DAYTON | 60 loans<br>$ 515,526.53 | loans<br>$ | 60 loans<br>$ 515,526.53 | loans<br>$ |
| DENVER | 149 loans<br>$ 960,650.00 | 5 loans<br>$ 44,400.00 | 139 loans<br>$ 814,[illegible]50.00 | 10 loans<br>$ 45,700.00 |
| DETROIT | 529 loans<br>$ 4,264,[illegible]37.30 | 436 loans<br>$ 3,844,500.00 | 513 loans<br>$ 4,[illegible]50,568.22 | 16 loans<br>$ 113,[illegible]89.08 |
| HOUSTON | 409 loans<br>$ 2,561,307.09 | 80 loans<br>$ 569,925.00 | 389 loans<br>$ 2,[illegible]20,157.09 | 20 loans<br>$ 144,150.00 |
| KANSAS CITY | 8 loans<br>$ 53,250.00 | loans<br>$ | 7 loans<br>$ 47,050.00 | 1 loans<br>$ 6,200.00 |
| LA JOLLA | 167 loans<br>$ 1,291,361.40 | 20 loans<br>$ 1,861,150.00 | 167 loans<br>$ 1,291,361.40 | loans<br>$ |
| LOS ANGELES | 1,169 loans<br>$ 9,343,516.41 | 5,855 loans<br>$ 50,839,[illegible]19.00 | 843 loans<br>$ 6,683,[illegible]56.41 | 326 loans<br>$ 2,660,160.00 |
| MEMPHIS | 16 loans<br>$ 124,802.38 | loans<br>$ | 16 loans<br>$ 124,802.38 | loans<br>$ |
| MIAMI | 2,661 loans<br>$ 20,[illegible]61,004.10 | 1,480 loans<br>$ 10,403,305.00 | 2,468 loans<br>$ 18,826,[illegible]54.10 | 193 loans<br>$ 1,234,750.00 |
| MINNEAPOLIS | 276 loans<br>$ 2,257,984.37 | 229 loans<br>$ 2,024,340.00 | 248 loans<br>$ 2,023,216.15 | 28 loans<br>$ 234,768.22 |
| NASHVILLE | 13 loans<br>$ 89,606.90 | loans<br>$ | 13 loans<br>$ 89,606.90 | loans<br>$ |
| NEW YORK | 41 loans<br>$ 349,500.00 | 262 loans<br>$ 2,235,000.00 | loans<br>$ | 41 loans<br>$ 349,500.00 |
| OAKLAND | 57 loans<br>$ 513,919.90 | 6 loans<br>$ 624,300.00 | 57 loans<br>$ 513,919.90 | loans<br>$ |
| PORTLAND | 182 loans<br>$ 1,405,513.53 | 10 loans<br>$ 647,600.00 | 134 loans<br>$ 1,026,613.53 | 48 loans<br>$ 378,900.00 |

[fol. 1735]

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1735

CONSOLIDATED REPORT OF ALL FHA COMMITMENT AND PURCHASE CONTRACT SALES TO MARCH 31, 1950

| | Submitted | To Be Submitted | Paid for | Submitted but not paid for |
|---|---|---|---|---|
| RICHMOND | 75 loans<br>$ 514,763.78 | loans<br>$ | 75 loans<br>$ 514,763.78 | loans<br>$ |
| ST LOUIS | 56 loans<br>$ 485,847.32 | 103 loans<br>$ 914,300.00 | 45 loans<br>$ 393,984.18 | 11 loans<br>$ 92,863.14 |
| SALT LAKE CITY | 28 loans<br>$ 193,297.91 | loans<br>$ | 28 loans<br>$ 193,297.91 | loans<br>$ |
| SAN ANTONIO | 195 loans<br>$ 1,500,256.01 | 96 loans<br>$ 738,350.00 | 173 loans<br>$ 1,328,970.60 | 22 loans<br>$ 171,285.41 |
| SEATTLE | 14 loans<br>$ 109,053.99 | 7 loans<br>$ 288,350.00 | 8 loans<br>$ 63,828.99 | 6 loans<br>$ 45,225.00 |
| TULSA | 5 loans<br>$ 33,408.97 | loans<br>$ | 5 loans<br>$ 33,408.97 | loans<br>$ |
| WASHINGTON, D.C. | 437 loans<br>$ 3,901,029.28 | 386 loans<br>$ 17,630,475.00 | 405 loans<br>$ 3,601,970.10 | 32 loans<br>$ 299,059.18 |
| TOTAL | 8,103 loans<br>$ 65,759,726.59 | 9,190 loans<br>$ 102,713,464.00 | 7,254 loans<br>$ 59,218,793.21 | 849 loans<br>$ 6,540,933.38 |

[fol.1736]

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DELINQUENT LOAN COMPARISON REPORT
As of Year End for 1947-8-9
United States and Canada

| Year | Prin. Balance | No. of Loans | Amt. Delinq* | % | No. Delinq. | % | Amt. Foreclosed | % | No. Foreclosed | % |
|---|---|---|---|---|---|---|---|---|---|---|
| **UNITED STATES** | | | | | | | | | | |
| 1947 | 252,137,632 | 33,289 | 2,735,640 | .0108 | 272 | .0081 | 46,437 | .0018 | 9 | .00027 |
| 1948 | 281,971,947 | 37,723 | 2,844,184 | .01008 | 440 | .0116 | 364,240 | .0013 | 37 | .0010 |
| 1949 | 330,750,178 | 41,534 | 3,901,440 | .0117 | 515 | .0124 | 572,603 | .0018 | 94 | .0022 |
| **CANADA** | | | | | | | | | | |
| 1947 | 3,899,318 | 1,145 | 49,874 | .0128 | 12 | .0105 | None | | None | |
| 1948 | 6,632,145 | 1,462 | 141,681 | .0214 | 23 | .0157 | None | | None | |
| 1949 | 11,709,259 | 2,194 | 48,857 | .0041 | 8 | .0036 | None | | None | |

* Includes all loans which are ninety days or more delinquent. This is standard practice for computing up-to-date and delinquent accounts.

Note: This report includes only holdings of IDS and ISA, and does not include loans serviced for other companies.

Page Tightly Bound

EXHIBIT "G"

PARTICIPATION PROJECTS

| Project & Location | | No. of Houses | No. Houses Sold | I.D.S. Profit or Loss including fees |
|---|---|---|---|---|
| *Springdale Heights | Atlanta | 102 | 102 | $ 28,900.00 (R) |
| Northside Hills | Atlanta | 30, plus 49 lots | 30 | 6,556.00 (L) |
| **Trinity Heights No. 1 | Dallas | 51 | 51 | 42,400.00 (R) |
| **Trinity Heights No. 2 | Dallas | 31 | 31 | 24,900.00 (R) |
| **Trinity Heights No. 3 | Dallas | 58 | 58 | 43,000.00 (R) |
| **Roland Hills No. 1 | Dallas | 50 | 50 | 40,612.00 (R) |
| **Roland Hills No. 2 | Dallas | 81 | 81 | 73,011.00 (R) |
| **Lynnewood Park No. 1 | Dallas | 218 | 218 | 175,255.00 (E) |
| **Lynnewood Park No. 2 | Dallas | 219 | 104 | 159,940.00 (E) |
| Livernois Projects | Detroit | 343 | 338 | 101,839.00 (L) |
| Hanford Homes | Kansas City | 40 | 35 | 915.00 (L) |
| River Forest | Lansing | 25 | 25 | 23,700.00 (L) |
| Westchester Park | Los Angeles | 526 | 526 | 250,000.00 (E) |
| Bixby Knolls | Los Angeles | 372 | 250 | 165,000.00 (E) |
| Lakewood Park | Los Angeles | 3,536 | 800 | 4,000,000.00 (E)(1) |
| Hyde Park No. 1 | Miami | 112 | 112 | 58,725.31 (R) |
| Sunkist Gardens No. 2 | Miami | 115 | 115 | 54,292.82 (R) |
| 16th Addtn. to Hialeah #3 | Miami | 96 | 96 | 49,066.69 (R) |
| Sunkist Groves No. 4 | Miami | 84 | 84 | 42,003.76 (R) |
| Hyde Park Manor No. 5 | Miami | 30 | 30 | 19,728.58 (R) |
| 16th Addtn. to Hialeah #6 | Miami | 162 | 162 | 84,715.54 (R) |
| Sunkist Groves No. 7 | Miami | 33 | 33 | 18,734.40 (R) |



[fol. 1738]

| Project & Location | | No. of Houses | No. Houses Sold | I.D.S. Profit or Loss including fees |
|---|---|---|---|---|
| 16th Addtn.to Hialeah #8 | Miami | 112 | 112 | $ 59,757.41 (R) |
| F-Thirty-One, Inc. No. 9 | Miami | 20 | 20 | 12,589.44 (R) |
| Bunche Park | Miami | 1,000 | 725 | 500,000.00 (E) |
| Wilkorp | Minneapolis | 100 | 100 | 17,900.00 (L) |
| Bros-Built Homes | Minneapolis | 64 | 64 | 6,650.00 (E) |
| Buckingham Grove | San Diego | 64 | 64 | 8,200.00 (R) |
| Glenmont Forest | Washington | 278 | 278 | 63,120.00 (R) |
| Glenmont Village No. 1 | Washington | 120 | 120 | 60,577.00 (R) |
| Glenmont Village No. 2 | Washington | 71 | 64 | 45,000.00 (E) |
| Glenmont Village No. 3 | Washington | 50 | 15 | 30,000.00 (E) |
| Glenmont Village No. 4 | Washington | 102 | Just started | 60,000.00 (E) |
| Halcyon Homes | Washington | 25 | 25 | 18,500.00 (R) |
| | | 8,320 | 4,918 | $6,043,768.95 NET PROFIT |

[fol. 1739]

(R) Realized
(E) Estimated
(L) Estimated loss to be taken in 1950

* Profits credited to subsidiary, Jefferson Mortgage Corp.
** Profits credited to subsidiary, Southland Mortgage Co.

(1) Over a period of years

1219

1739

| PL. EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 1 ev. | | | 50 | 9/19/55 | Pages 467 to pages 484-A, submitted by Mr. Pomerantz as part of the minutes of the hearing held before the three-judge court |
| | 2 ev. | | 63 | | Original affidavit of mailing of notices of hearing before Hon. Robert J. Fitzsimmons, made by George Strattis of the dividend department of J. P. Morgan & Co., Inc., transfer agent of the stock of the Alleghany Corp., said affidavit having been sworn to on Sept. 7, 1955 and submitted by Mr. Daly |
| | | A id. | 63 | | Letter submitted by Referee, on letterhead of Bartlett, Poe & Glaggett, dtd Sept. 15, 1955, addressed to Robert J. Fitzsimmons, consisting of two pages, signed, "Edgar A. Poe" |
| | | B id. | 64 | | Copy of letter submitted by Referee, on letterhead of Nathan Schwartz, dtd Sept. 13, 1955, addressed to Abraham L. Pomerantz, Esq., signed, "Nathan Schwartz;" together with one copy of ltr dtd Sept. 15, 1955, also submitted by Referee, addressed to Mr. Nathan Schwartz, signed, in blank, "Robert J. Fitzsimmons"; together with letter submitted by Referee, on letterhead of Nathan Schwartz dtd Sept. 5, 1955, addressed to Hon. Robert J. Fitzsimmons, signed, "Nathan Schwartz"; together with copy of ltr submitted by Referee on letterhead of Pomerantz, Levy & Haudek, dtd Sept. 7, 1955, addressed to Mr. Nathan Schwartz, signed "Abraham L. Pomerantz" |
| 3 ev. | | | 67 | | Transcript of depositions before trial of Mr. David W. Wallace, submitted by Mr. Haudek |
| 4 ev. | | | 68 | | Transcript of deposition of Mr. Robert R. Young, submitted by Mr. Haudek |
| 5 ev. | | | 68 | | Tabulation prepared by Alleghany Corp. submitted by Mr. Haudek |
| 6 ev. | | | 68 | | Affidavit of Freda Blumenthal, submitted by Mr. Haudek |
| 7 ev. | | | 69 | | Affidavit of Sadie Zenn, submitted by Mr. Haudek |
| 8 ev. | | | 69 | | Affidavit of Charles Trynin, submitted by Mr. Haudek |

In the United States District Court
Plaintiffs' Exhibit No. 356

[fol. 1740]

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| PL. EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 9 ev. | | | 70 | 9/19/55 | Affidavit of Bernard Lieberman, submitted by Mr. Haudek |
| 10 ev. | | | 70 | | Affidavit of Jeanette Annenberg, submitted by Mr. Haudek |
| 11 ev. | | | 71 | | Document entitled "Articles of Restatement of Charter of Alleghany Corp." submitted by Mr. Haudek |
| 12 ev. | | | 71 | | Document entitled "By-laws of Alleghany Corp. and Amendments thereto" submitted by Mr. Haudek |
| 13 ev. | | | 71 | | 1945 report of the Alleghany Corp. submitted by Mr. Haudek |
| 14 ev. | | | 72 | | Annual Report for year 1946 of Alleghany Corp. submitted by Mr. Haudek |
| 15 ev. | | | 72 | | Annual Report for year 1947 of Alleghany Corp. submitted by Mr. Haudek |
| 16 ev. | | | 73 | | Annual Report for year 1948 of Alleghany Corp. submitted by Mr. Haudek |
| 17 ev. | | | 74 | | Annual Report for year 1949 of Alleghany Corp. submitted by Mr. Haudek |
| 18 ev. | | | 75 | | Annual Report for year 1950 of Alleghany Corp. submitted by Mr. Haudek |
| 19 ev. | | | 75 | | Annual Report for year 1951 of Alleghany Corp. submitted by Mr. Haudek |
| 20 ev. | | | 76 | | Annual Report for year 1952 for Alleghany Corp. submitted by Mr. Haudek |
| 21 ev. | | | 76 | | Annual Report for year 1953 of Alleghany Corp. submitted by Mr. Haudek |
| 22 ev. | | | 77 | | Annual Report for year 1954 of Alleghany Corp. submitted by Mr. Haudek |
| 23 ev. | | | 77 | | Alleghany Corp. Interim Financial Report for period Jan. 1 to June 30, 1955, submitted by Mr. Haudek |
| 24 ev. | | | 82 | | Schedule setting forth officers, directors and members of executive committee of Alleghany Corp. from Jan. 1, 1946 to date, submitted by Mr. Haudek |

[fol. 1741]

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| PL. EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 25 ev. | | | 83 | | Copy of document entitled "Articles of Incorporation of Investors Diversified Services, Inc." submitted by Mr. Haudek |
| 26 ev. | | | 83 | | Document entitled "By-laws of Investors Diversified Services, Inc. Revised Sept. 17, 1954" submitted by Mr. Haudek |
| 27 ev. | | | 88 | | Excerpt from minutes of meeting of Board of Directors of Alleghany Corp. on Dec. 6, 1949, submitted by Mr. Haudek |
| 28 ev. | | | 102 | 9/29/55 | Copy of letter dtd Jan. 20, 1950 from Allan P. Kirby to Alleghany Corp. submitted by Mr. Haudek |
| 29 ev. | | | 103 | | Document purporting to be excerpt from minutes of Board of Directors of Alleghany Corp. of meeting held Feb. 24, 1950, submitted by Mr. Haudek |
| 30 ev. | | | 104 | | Document purporting to be proxy statement of Alleghany Corp. dtd April 6, 1950, relating to annual meeting of stockholders of Alleghany Corp. to be held May 3, 1950, submitted by Mr. Haudek |
| 31 ev. | | | 106 | | Notices of meeting, dtd April 6, 1950, submitted by Mr. Haudek |
| 32 ev. | | | 108 | | Document entitled "Additional Material in connection with Proxy Statement of Alleghany Corp. for Annual Meeting of Stockholders, May 3, 1950, submitted by Mr. Haudek |
| 33 ev. | | | 109 | | Excerpt from minutes of Board of Directors of Alleghany Corp. of Feb. 24, 1950, submitted by Mr. Haudek |
| 34 ev. | | | 110 | | Photostatic copy of document entitled "Minutes of Annual Meeting of Stockholders of Alleghany Corp" dtd May 3, 1950, submitted by Mr. Haudek |
| 35 ev. | | | 111 | | Copy of ltr from Alleghany Corp. to Manufacturers Trust Co. dtd May 11, 1950, submitted by Mr. Haudek |
| 36 ev. | | | 112 | | Excerpt from minutes of meeting of the Board of Directors of Alleghany Corp. of May 18, 1950, submitted by Mr. Haudek |

[fol. 1742]

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| PL. EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 37 ev. | | | 114 | | Annual report of Investors Diversified Services, Inc. for year 1948, submitted by Mr. Haudek |
| 38 ev. | | | 115 | | Annual report of Investors Diversified Services, Inc. for year 1949, submitted by Mr. Haudek |
| 39 ev. | | | 116 | | Annual report of Investors Diversified Services, Inc. for year 1950 submitted by Mr. Haudek |
| 40 ev. | | | 116 | | Investors Diversified Services, Inc. annual report for year 1951, submitted by Mr. Haudek |
| 41 ev. | | | 117 | | Annual report of Investors Diversified Services for year 1952, submitted by Mr. Haudek |
| 42 ev. | | | 117 | | Annual Report of Investors Diversified Services, Inc. for year 1953, submitted by Mr. Haudek |
| 43 ev. | | | 117 | | Annual report of Investors Diversified Services, Inc. for year 1954, submitted by Mr. Haudek |
| 44 ev. | | | 118 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1949, submitted by Mr. Haudek |
| 45 ev. | | | 119 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1950, submitted by Mr. Haudek |
| 46 ev. | | | 119 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1951, submitted by Mr. Haudek |
| 47 ev. | | | 119 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1952, submitted by Mr. Haudek |
| 48 ev. | | | 120 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1953, submitted by Mr. Haudek |
| 49 ev. | | | 120 | | Semi-annual report of Investors Diversified Services, Inc. of June 30, 1954, submitted by Mr. Haudek |
| 50 ev. | | | 121 | | Photostatic copy of semi-annual report of Investors Syndicate of America, Inc. of June 30, 1949, submitted by Mr. Haudek |
| 51 ev. | | | 122 | | Annual report of Investors Syndicate of America, Inc. for year 1948, submitted by Mr. Haudek |
| 52 ev. | | | 122 | | Annual report of Investors Syndicate of America, Inc. for year ended Dec. 31, 1949, submitted by Mr. Haudek |

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| PL. EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 53 ev. | | | 122 | | Annual report of Investors Syndicate of America, Inc. for year 1950, submitted by Mr. Haudek |
| 54 ev. | | | 123 | | Annual report of Investors Syndicate of America, Inc. for year 1951, submitted by Mr. Haudek |
| 55 ev. | | | 123 | | Annual report of Investors Syndicate of America, Inc. for year 1952, submitted by Mr. Haudek |
| 56 ev. | | | 124 | | Annual report of Investors Syndicate of America, Inc. for year 1953, submitted by Mr. Haudek |
| 57 ev. | | | 124 | | Annual report of Investors Stock Fund, Inc. for period ended Oct. 31, 1950, submitted by Mr. Haudek |
| 58 ev. | | | 125 | | Annual report of Investors Stock Fund, Inc. for period ended Oct. 31, 1951, submitted by Mr. Haudek |
| 59 ev. | | | 125 | | Annual report of Investors Stock Fund, for period ended Oct. 31, 1952, submitted by Mr. Haudek |
| 60 ev. | | | 126 | | Annual report of Investors Stock Fund, for period ended Oct. 31, 1953, submitted by Mr. Haudek |
| 61 ev. | | | 126 | | Annual report of Investors Stock Fund, Inc. for period ended Oct. 31, 1954, submitted by Mr. Haudek |
| 62 ev. | | | 126 | | Annual report of Investors Stock Fund, Inc. period ended Oct. 31, 1948, submitted by Mr. Haudek |
| 63 ev. | | | 127 | | Annual report of Investors Stock Fund, Inc. period ended Oct. 31, 1949, submitted by Mr. Haudek |
| 64 ev. | | | 127 | | Semi-annual report of Investors Stock Fund, for period ended April 30, 1948, submitted by Mr. Haudek |
| 65 ev. | | | 128 | | Semi-annual report of Investors Stock Fund, as of April 30, 1949, submitted by Mr. Haudek |
| 66 ev. | | | 128 | | Photostatic copy of semi-annual report of Investors Stock Fund, of April 30, 1950, submitted by Mr. Haudek |
| 67 ev. | | | 129 | | Semi-annual report of Investors Stock Fund, period ended April 30, 1951, submitted by Mr. Haudek |
| 68 ev. | | | 129 | | Semi-annual report of Investors Stock Fund, period ended April 30, 1952, submitted by Mr. Haudek |

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| PL EX. | DEF. EX. | REF. EX | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 69 ev. | | | 129 | | Semi-annual report of Investors Stock Fund, period ended April 30, 1953, submitted by Mr. Haudek |
| 70 ev. | | | 130 | | Semi-annual report of Investors Stock Fund, period ended April 30, 1954, submitted by Mr. Haudek |
| 71 ev. | | | 130 | | Annual report of Investors Mutual, Inc. period ended Sept. 30, 1948, submitted by Mr. Haudek |
| 72 ev. | | | 131 | | Annual report of Investors Mutual Inc. period ended Sept. 30, 1949, submitted by Mr. Haudek |
| 73 ev. | | | 131 | | Annual report of Investors Mutual, period end Sept. 30, 1950, submitted by Mr. Haudek |
| 74 ev. | | | 132 | | Annual report of Investors Mutual, Inc. period ended Sept. 30, 1951, submitted by Mr. Haudek |
| 75 ev. | | | 132 | | Annual report of Investors Mutual, period ended Sept. 30, 1952, submitted by Mr. Haudek |
| 76 ev. | | | 133 | | Annual report of Investors Mutual, period ended Sept. 30, 1953, submitted by Mr. Haudek |
| 77 ev. | | | 133 | | Annual report of Investors Mutual, Inc. period ended Sept. 30, 1954, submitted by Mr. Haudek |
| 78 ev. | | | 133 | | Semi-annual report of Investors Mutual, period ended March 31, 1948, submitted by Mr. Haudek |
| 79 ev. | | | 134 | | Semi-annual report of Investors Mutual, period ended March 31, 1949, submitted by Mr. Haudek |
| 80 ev. | | | 134 | | Semi-annual report of Investors Mutual, period ended March 31, 1950, submitted by Mr. Haudek |
| 81 ev. | | | 135 | | Semi-annual report of Investors Mutual, period ended March 31, 1951, submitted by Mr. Haudek |
| 82 ev. | | | 135 | | Semi-annual report of Investors Mutual, period ended March 31, 1952, submitted by Mr. Haudek |
| 83 ev. | | | 136 | | Semi-annual report of Investors Mutual, period ended March 31, 1953, submitted by Mr. Haudek |
| 84 ev. | | | 136 | | Semi-annual report of Investors, Mutual, period ended March 31, 1954, submitted by Mr. Haudek |

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| PL EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 85 ev. | | | 137 | | Annual report of Investors Selective Fund, period ended Nov. 30, 1048, submitted by Mr. Haudek |
| 86 ev. | | | 137 | | Annual report of Investors Selective Fund, period ended Nov. 1949, submitted by Mr. Haudek |
| 87 ev. | | | 137 | | Annual report of Investors Selective Fund, period ended Nov. 30, 1950, submitted by Mr. Haudek |
| 88 ev. | | | 138 | | Annual report of Investors Selective Fund, period ended Nov. 30, 1951, submitted by Mr. Haudek |
| 89 ev. | | | 138 | | Annual report of Investors Selective Fund, period ended Nov. 30, 1952, submitted by Mr. Haudek |
| 90 ev. | | | 139 | | Annual report of Investors Selective Fund, period ended Nov. 30, 1953, submitted by Mr. Haudek |
| 91 ev. | | | 139 | | Semi-annual report of Investors Selective Fund, period ended May 31, 1948, submitted by Mr. Haudek |
| 92 ev. | | | 140 | | Photostatic copy of semi-annual report of Investors Selective Fund, period ended May 31, 1949 submitted by Mr. Haudek |
| 93 ev. | | | 140 | | Semi-annual of report of Investors Selective Fund, period ended May 31, 1950, submitted by Mr. Haudek |
| 94 ev. | | | 141 | | Photostatic copy of semi-annual report of Investors Selective Fund, period ended May 31, 1951, submitted by Mr. Haudek |
| 95 ev. | | | 141 | | Semi-annual report of Investors Selective Fund, period ended May 31, 1952, submitted by Mr. Haudek |
| 96 ev. | | | 142 | | Semi-annual report of Investors Selective Fund, period ended May 31, 1953, submitted by Mr. Haudek |
| 97 ev. | | | 142 | | Photostatic copy of schedule entitled "Investors Diversified Services, Inc.--Condormed Statement of Net Income for years 1949 and 1950 by Quarters" submitted by Mr. Haudek |
| 98 ev. | | | 143 | | Photostatic copybof schedule entitled "Investors Diversified Services, Inc. --Analysis by Quarters, of Larger Item included in 'Commissions and Participation Project Fees' -- Year Ended Dec. 31, 1950", submitted by Mr. Haudek |

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| PL EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 99 ev. | | | 144 | | Photostat copy of document entitled "Interstate Commerce Commission -- Finance Docket No. 1469 21 -- Chesapeake & Ohio RR Co. Purchase, etc." submitted by Mr. Haudek |
| 100 ev. | | | 146 | | Photostatic copy of trust indenture dtd June 14, 1945 between Chesapeake & Ohio RR Co. and Alleghany Corp. and Chase Nat. Bank of New York, submitted by Mr. Haudek |
| 101 ev. [ | | | 147 | | Photostatic copy of a modification of trust indenture of June 14, 1945, dtd Dec. 18, 1947, submitted by Mr. Haudek |
| 102 ev. | | | 148 | | Photostatic copy of indenture of trust, dtd June 22, 1950, between Alleghany Corp. Chesapeake & Ohio RR Co. and Empire Trust Co. submitted by Mr. Hadek |
| 102 ev. | | | 151 [ | | Copy of order of Interstate Commerce Commission; dtd June 5, 1945, submitted by Mr. Haudek |
| 103 ev. | | | 153 | | Schedule entitled "Holdings of Alleghany Corp. in Chesapeake & Ohio RR Co.", submitted by Mr. Hadek |
| 104 ev. | | | 154 | | 66th Annual Report of Chesapeake & Ohio Railway Co. for year ended Dec. 31, 1943, submitted by Mr. Haudek |
| 105 ev. | | | 156 | | Annual report of Chesapeake & Ohio Railway Co. for year 1944, submitted by Mr. Haudek |
| 106 ev. | | | 156 | | Annual report of Chesapeake & Ohio Railway Co. for year 1945, submitted by Mr. Haudek |
| 107 ev. | | | 156 | | Annual report of Chesapeake & Ohio Railway Co. for year 1946, submitted by Mr. Haudek |
| ~~108 ev.~~ | | | 157 | | Annual report of Chesapeake & Ohio Railway Co. for year 1947, submitted by Mr. Haudek |
| 109 ev. | | | 157 | | Annual report of Chesapeake & Ohio Railway Co. for year 1948, submitted by Mr. Haudek |
| 110 ev. | | | 158 | | Annual report of Chesapeake & Ohio Railway Co. for 1949, submitted by Mr. Haudek |
| 111 ev. | | | 158 | | Annual report of Chesapeake & Ohio Railway Co. for year 1950, submitted by Mr. Haudek |
| 112 ev. | | | 159 | | Annual report of Chesapeake & Ohio Railway Co. for year 1951, submitted by Mr. Haudek |

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| PL EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 113 ev. | | | 159 | | Annual report of Chesapeake & Ohio Railway Co. for year 1952, submitted by Mr. Haudek |
| 114 ev. | | | 159 | | Annual report of Chesapeake & Ohio Railway Co. for year 1953, submitted by Mr. Haudek |
| 115 ev. | | | 160 | | Annual report of Chesapeake & Ohio Railway Co. for year 1954, submitted by Mr. Haudek |
| 116 ev. | | | 161 | | Proxy statements of Chesapeake Ohio RR Co. for years 1946 to 1954, submitted by Mr. Haudek |
| 117 ev. | | | 162 | | Annual report of N.Y. Central Railroad Co. for year 1954, submitted by Mr. Haudek |
| 118 ev. | | | 163 | | Excerpt from minutes of meeting of Board of Directors of Alleghany Corp. on Jan. 19, 1954, submitted by Mr. Haudek |
| 119 ev. | | | 167 | | Document entitled "Chesapeake & Ohio Railway Co. -- Net Income Per Common Share and Dividends Paid per Common Share during years 1931 thru 1954 -- (Source: Standard & Poor's Corp. Descriptions), submitted by Mr. Haudek |
| 120 ev. | | | 169 | | Advertisement from "The New York Herald Tribune" of Feb. 18, 1954, submitted by Mr. Haudek |
| 121 ev. | | | 177 | | Batch of pamphlets, advertisements and misc. literature, 35 in number, submitted by Mr. Haudek [fol. 1748] |
| 122 ev. | | | 184 | | Photostatic copy of agreement dtd Dec. 28, 1953, submitted by Mr. Haudek |
| 123 ev. | | | 185 | | Excerpt from minutes of Board of Directors of Alleghany Corp. held Dec. 8, 1953, submitted by Mr. Haudek |
| 124 ev. | | | 187 | | Tabulation of market price of stock of Investors Diversified Services, Class A, period from Jan 1950 to Sept. 8, 1955, submitted by Mr. Haudek |
| 125ev. | | | 187 | | Document entitled "Proxy Statement for Proposed Alleghany-Young-Kirby Ownership Board of Directors of N.Y. Central Railroad Co." submitted by Mr. Haudek |
| 126 ev. | | | 188 | | Document entitled "The N.Y. Central Railroad Co. Notice of Annual Meeting of Stockholders" dtd April 9, 1954, submitted by Mr. Haudek 1228 |
| 127 ev. | | | 189 | | Document entitled "N.Y. Central System" addressed to share owners of N.Y. Central Railroad Co. dtd April 9, 1954; submitted by Mr. Haudek |

| PL EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 128 ev. | | | 190 | | Photostatic copy of resolution of executive committee of Board of Directors of Alleghany Corp. dtd. Feb. 12, 1954, submitted by Mr. Haudek |
| 129 ev. | | | 191 | | Certified excerpt from minutes of Board of Directors of Alleghany Corp. on Feb. 17, 1954, submitted by Mr. Haudek |
| 130 ev. | | | 192 | | Photostatic copy of ltr agreement dtd. Feb. 23, 1954, between Chesapeake & Ohio Railway Co. and Clint W. Murchison, submitted by Mr. Haudek |
| 131 ev. | | | 193 | | Photostatic copy of ltr agreement dtd February 23, 1954, between Chesapeake & Ohio Railway Co. and Mr. Sid Richardson, submitted by Mr. Haudek |
| 132 ev. | | | 194 | | Copy of document entitled "Western Pocahontas Corp. -- Excerpt from Minutes of Board of Directors held Feb. 24, 1954" submitted by Mr. Haudek |
| 133 ev. | | | 195 | | Copy of document entitled "Chesapeake & Ohio Railway Co. -- Excerpt from Board of Directors held Feb. 25, 1954" submitted by Mr. Haudek |
| 134 ev. | | | 196 | | Photostatic copy of document entitled "Resolution of executive committee of Board of Directors of Alleghany Corp., March 12, 1954, submitted by Mr. Haudek |
| 135 ev. | | | 197 | | Photostatic copy of document entitled "Resolutions of executive committee of Board of Directors of Alleghany Corp. -- March 12, 1954", submitted by Mr. Haudek [fol. 1749] |
| 136 ev. | | | 199 | | Document entitled "Resolutions of executive committee of Board of Directors of Alleghany Corp -- March 12, 1954, submitted by Mr. Haudek |
| 137 ev. | | | 200 | | Photostatic copy of promissory note of Clint W. Murchison, dtd March 15, 1954, submitted by Mr. Haudek |
| 139 ev. | | | 201 | | Copy of promissory note of Sid W. Richardson, dtd March 15, 1954, submitted by Mr. Haudek |
| 139 ev. | | | 202 | | Copy of ltr from Allan P. Kirby to Sid W. Richardson, dtd March 15, 1954, submitted by Mr. Haudek |
| 140 ev. | | | 202 | | Photostatic copy of ltr from Alleghany Corp. to Clint W. Murchison, dtd March 15, 1954, submitted by Mr. Haudek |
| 141 ev. | | | 203 | | Photostat copy of ltr dtd March 15, 1954, from Alleghany Corp to Clint W. Murchison, submitted by Mr. Haudek |

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| PL EX. | DEF. EX. | REF. EX. | PAGE | DATE | DESCRIPTION |
|---|---|---|---|---|---|
| 142 ev. | | | 204 | | Photostat copy of ltr dtd March 15, 1954, from Alleghany Corp to Sid W. Richardson, submitted by Mr. Haudek |
| 143 ev. | | | 205 | | Photostatic copy of form of joint venture agreement, submitted by Mr. Haudek |
| 144 ev. | | | 206 | | Document entitled "N.Y. Central common stock" submitted by Mr. Haudek. |
| 145 ev. | | | 207 | | Photostatic copy of ltr on letter-head of Peat, Marwick, Mitchell & Co., dtd April 26, 1955, submitted by Mr. Haudek |
| 146 ev. | | | 209 | | Proxy statement of New York Central Railroad Co. dtd April 16, 1955, submitted by Mr. Haudek |
| 147 ev. | | | 210 | | Letter dtd Sept. 10, 1955, from New York Central Railroad Company to its share owners, submitted by Mr. Haudek |
| 148 ev. | | | 210 | | Photostatic copy of check of New York Central Railroad Co. dtd May 26, 1955, submitted by Mr. Haudek |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| Pl. 149 | 234 | 9/28/55 | Copy of letter above referred to, dated April 8, 1954, from Clint W. Murchison to the Alleghany Corporation, submitted by Mr. Haudek, was received in evidence and marked Plaintiff's Exhibit 149, as of this date. [Previously marked Plaintiffs' Exhibit 8] |
| Pl. 150 | 235 | | Photostatic copy of copy of letter above referred to, from Sid W. Richardson to Alleghany Corporation, signed, in blank, "Sid W. Richardson," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 150, as of this date. [Previously marked Plaintiffs' Exhibit 9] |
| Pl. 151 | 237 | | Copy of document above referred to, entitled "Agreement of Joint Venture -- Alleghany Corporation with Murchison Brothers -- dated: as of July 15, 1954," consisting of seven pages, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 151, as of this date. [Previously marked Plaintiffs' Exhibit 11] |
| Pl. 152 | 238 | | Copy of document above referred to, entitled "Agreement of Joint Venture -- Alleghany Corporation with Sid W. Richardson -- dated: as of July 15, 1954, consisting of seven pages, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 152, as of this date. [Plaintiffs' Exhibit 10] |
| Pl. 153 | 241 | | Photostat copy of agreement above referred to, dated the 15th day of July, 1954, by and between Sid W. Richardson and Alleghany Corporation, consisting of nine pages; together with photostatic copy of agreement made at Jersey City, New Jersey, as of the blank day of July, 1954, by and between Sid W. Richardson and Alleghany Corporation, consisting of nine pages, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 153, as of this date. [Previously marked Plaintiffs' Exhibit 12] |
| Pl. 154 | 246 | | Photostatic copy of document above referred to, entitled "Agreement Made at Cleveland, Ohio, as of the 30th day of June, 1951, by and between Murchison Brothers," etcetera, and Alleghany Corporation, consisting of 16 pages; together with document attached, entitled "Exhibit "A"; and another document |

[fol. 1751]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| | | | attached, entitled "Guarantee", signed by Clint W. Murchison, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 154, as of this date. [Previously marked Plaintiffs' Exhibit 30] |
| Pl. 155 | 249 | | Copy of document above referred to, entitled "Resolution of executive committee of board of directors of Alleghany Corporation, July 14, 1954," signed, in blank, "Thomas Deegan, Jr., Henry J. Guild, Allan P. Kirby, Herman R. Neff, Robert R. Young," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 155, as of this date. [Plaintiffs' Exhibit 27 as previously marked] |
| Pl. 156 | 258 | | Copy of document above referred to, entitled "Resolution of executive committee of board of directors of Alleghany Corporation -- July 14, 1954," signed, in blank, "Thomas J. Deagan, Jr., Henry J. Guild, Allan P. Kirby, Herman R. Neff, Robert R. Young," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 156, as of this date. [ Previously marked Plaintiffs' Exhibit 28] |
| Pl. 157 | 259 | | Copy of letter above referred to, on the letterhead of Sid W. Richardson, Fort Worth National Bank Building, Forth Worth 2, Texas, addressed to Mr. Allan P. Kirby, signed, in blank, "Sid W. Richardson," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 157, as of this date. |
| Pl. 158 | 263 | | Copy of document above referred to, dated November 30, 1954, addressed to Alleghany Corporation, "re: A-M Venture No. 9, "signed, in blank, "W.G. Murchison," and "John D. Murchison," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 158, as of this date. [Previously marked Plaintiffs' Exhibit 154] |
| Pl. 159 | 270 | | Copy of letter above referred to, dated December 13, 1954, from Murchison Brothers to Alleghany Corporation, containing endorsement of acceptance on the last page, said endorsement being dated December 15. This exhibit was submitted by Mr. Haudek. It was received in evidence and marked Plaintiffs' Exhibit 159 as of this date. |

[fol. 1752]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| l. 160 | 273 | | Document above referred to, entitled "Telegram" dated April 27, 1955, addressed to Murchison Brothers, attention: Mr. G. E. Shelton, signed, in blank, Alleghany Corporation -- David W. Wallace, Secretary and Treasurer," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 160, as of this date. |
| l. 161 | 274 | | Document above referred to, submitted by Mr. Haudek, entitled "The following was received by telephone from Miss Rossi of the New York Stock Exchange, Research Department -- Price of New York Central stock on Wednesday, April 27, 1955" was received in evidence and marked Plaintiffs' Exhibit 161, as of this date. |
| l. 162 | 276 | | Photostatic copy of document above referred to, submitted by Mr. Haudek, dated July 15, 1954, signed by John Dabney Murchison and Clint W. Murchison, Jr.; which document contains endorsement signed by David W. Wallace, was received in evidence and marked Plaintiffs' Exhibit 162 as of this date. |
| l. 163 | 283 | | Photostatic copy of document above referred to, submitted by Mr. Haudek, on the letterhead of Murchison Brothers, dated December 13, 1954, addressed to Alleghany Corporation, cinsisting of six pages, signed by C. W. Murchison and John D. Murchison; together with confirmation dated the 15th day of December, 1954, signed by David W. Wallace as secretary and treasurer of the Alleghany Corporation, were received in evidence and marked Plaintiffs' Exhibit 163, as of this date. [fol. 1753] |
| l. 164 | 289 | | Photostatic copy of document above referred to, submitted by Mr. Haudek, entitled "Agreement between Donald H. Carter and Alleghany Corporation," dated December 13, 1954, on the stationery of Satterloo, Warfield and Stephens, consisting of nine pages, was received in evidence and marked Plaintiffs' Exhibit 164, as of this date. |
| l. 165 | 290 | | Document above referred to, submitted by Mr. Haudek, entitled "New York Central -- Common Stock," for each business day in January and February, 1954, consisting of three pages, was received in evidence and marked Plaintiffs' Exhibit 165, as of this date. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 166 | 292 | | Document above referred to, submitted by Mr. Haudek, entitled "The following are the holders of the five largest blocks of New York Central Stock as of April 19, 1954, the record date for the annual meeting of stockholders held at Albany, N.Y., on May 25, 1954," was received in evidence and marked Plaintiffs' Exhibit 166, as of this date. |
| Pl. 167 | 294 | | Documents above referred to, submitted by Mr. Haudek, entitled "The New York Central Railroad Company, Minutes of Annual Meeting of the Stockholders, May 26, 1954";"The New York Central Railroad Company, Minutes of Annual Meeting of the Stockholders, Reconvened June 1, 1954"; "The New York Central Railroad Company, Minutes of Annual Meeting of the Stockholders, Reconvened June 8, 1954"; The New York Central Railroad Company, Minutes of Annual Meeting of the Stockholders, Reconvened June 14, 1954"; "The New York Central Railroad Company, Certificate of Inspectors of Election," consisting of 13 pages in all, were received in evidence and marked Plaintiffs' Exhibit 167, as of this date. |
| Pl. 168 | 296 | | Document above referred to, submitted by Mr. Haudek, entitled "The New York Central Railroad Company Stockholders' Annual Meeting, Thursday, May 25th, 1955, "was received in evidence and marked Plaintiffs' Exhibit 168, as of this date. |
| Pl. 169 | 300 | | Copy of letter above referred to, submitted by Mr. Haudek, dated February 3, 1954, addressed to Mr. William White, signed, in blank, "Robert R. Young," was received in evidence and marked Plaintiffs' Exhibit 169, as of this date. |
| Pl. 170 | 300 | | Copy of document above referred to, submitted by Mr. Haudek, entitled "The New York Central Railroad Company," consisting of three pages, signed, "Charles T. Ireland, Jr.," was received in evidence and marked Plaintiffs' Exhibit 170, as of this date. |
| Pl. 171 | 302 | | Photostat copy of letter above referred to, submitted by Mr. Haudek, on the stationery of New York Central System, dated February 10, 1954, addressed to Mr. Robert R. Young, signed, "William White"; together with photostatic copy of document entitled "News Bureau -- New York Central System," containing the further notation "For Immediate Release -- Wednesday, February 10, 1954," consisting of three pages in all, were received in evidence and marked Plaintiffs' Exhibit 171, as of this date. |

[fol. 1754]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 172 | 309 | | Pamphlet above referred to, entitled "Your Alleghany Corporation Holdings -- a Brief Summary of Your Corporation's Holdings -- a Brief Summary of your Corporation's Investments as of March 31, 1954," submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 172, as of this date. |
| Pl. 173 | 309 | | Photostatic copy of the opinion and order of the Securities and Exchange Commission of October 4, 1945, above referred to, submitted by Mr. Haudek, consisting of 8 pages, was received in evidence and marked Plaintiffs' Exhibit 173 as of this date. |
| Pl. 174 | 311 | | Copy of an application and attached exhibits addressed to the Interstate Commerce Commission, above referred to, submitted by Mr. Haudek, dated September 17, 1954, was received in evidence and marked Plaintiffs' Exhibit 174, as of this date. |
| Pl. 175 | 313 | | Application with attached exhibits, addressed to the Interstate Commerce Commission, dated December 16, 1954, above referred to, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 175, as of this date. |
| Pl. 176 | 314 | | Copy of an order and decision of the Interstate Commerce Commission, Division 4, above referred to, dated March 2, 1955, submitted by Mr. Haudek, consisting of 14 pages, was received in evidence and marked Plaintiffs' Exhibit 176, as of this date. |
| Pl. 177 | 315 | | Photostatic copy of order and opinion of the Interstate to Commerce Commission, above referred to, dated May 24, 1955, submitted by Mr. Haudek, consisting of 14 pages, was received in evidence and marked Plaintiffs' Exhibit 177, as of this date. |
| Pl. 178 | 315 | | Copy of decision of Judge Walsh in the United States District Court for the Southern District of New York, dated April 6; 1955, above referred to, in the matter of Breswick & Co. and others, against O. Henry Briggs, and others, submitted by Mr. Haudek, consisting of seven pages, was received in evidence and marked Plaintiffs' Exhibit 178, as of this date. |

[fol. 1755]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 179 | 317 | | Copy of a decision by a three-judge court in the United States District Court for the Southern District of New York, decision being dated July 21, 1955, in the proceeding entitled "Breswick & Co., and others, against United States of America, and others," above referred to, consisting of 51 pages, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 179, as of this date. |
| Pl. 180 | 318 | | Copy of decision of Mr. Justice Harlan, dated August 31, 1955, above referred to, consisting of 12 pages, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 180, as of this date. |
| Pl. 181 | 325 | 9/29/55 | Notice of stockholders' meeting and proxy statement of Alleghany Corporation, above referred to, dated January 1,4 1955, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 181, as of this date. |
| Pl. 182 | 325 | | Photostatic copy of form of proxy of Alleghany Corporation, above referred to, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 182, as of this date. |
| Pl. 183 | 326 | | Document above referred to, entitled "Alleghany Corporation -- Exchange Over of Alleghany Corporation's 6 percent convertible preferred stock for Alleghany Corporation's cumulative 5-1/2 percent preferred stock Series A, "dated February 10, 1955, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 183, as of this date. |
| Pl. 184 | 327 | | Document above referred to, entitled "Alleghany Corporation -- Certified Copy of Resolutions of Stockholders -- in re: Proposed Amendments to Article Sixth of the Certificate of Incorporation," being a copy of abstract of the minutes of February 9, 1955, consisting of 12 pages, signed by David W. Wallace, as secretary on the 9th day of March, 1955, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 184, as of this date. [fol. 1756] |
| Pl. 185 | 328 | | Document above referred to, being an excerpt from the minutes of the meeting of Alleghany Corporations board of directors of December 28, 1954, consisting of three pages, submitted by Mr. Haudek, and signed on the 21st day of January, 1955, by David W. Wallace as secretary, was received in evidence and marked Plaintiffs' Exhibit 185, as of this date. 1236 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 186 | 329 | | Copy of document above referred to, entitled "Certificate," being an excerpt from the minutes of a meeting of the execution committee of Alleghany Corporation held on February 9, 1955, consisting of 26 pages, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 186, as of this date. |
| Pl. 187 | 330 | | Printed document above referred to, entitled "Alleghany Corporation -- To the Holders of Cummulative 5-1/2 percent preferred stock, Series A, of Alleghany Corporation," dated May 27, 1955, submitted by Mr. Haudek, signed by David W. Wallace as secretary and treasurer of Alleghany Corporation, was received in evidence and marked Plaintiffs' Exhibit 187, as of this date. |
| Pl. 188 | 331[ | | Photostatic copy of document above referred to, submitted by Mr. Haudek, entitled "Interstate Commerce Commission -- Finance Docket No. 18866 -- Alleghany Corporation Stock -- Submitted April 14, 1955 -- Decided May 26, 1955," consisting of 24 pages, was received in evidence and marked Plaintiffs' Exhibit 188, as of this date. |
| Pl. 189 | 331 | | Document above referred to, submitted by Mr. Haudek, entitled " Order -- At a General Session of the Interstate Commerce Commission held at its office in Washington, D.C. on the 22nd day of June, A. D. 1955 -- Finance Docket No. 18866 -- Alleghany Corporation Stock," signed by Harold D. McCoy as secretary of the Interstate Commerce Commission, was received in evidence and marked Plaintiffs' Exhibit 189, as of this date.. |
| Pl. 190 | 333-334 | | Document above referred to, submitted by Mr. Haudek, entitled "Alleghany Corporation-- Exchange Over -- Common Stock of the Chesapeake & Ohio Railway Company -- for preferred stocks of Alleghany Corporation to the holders of prior preferred convertible stock, and cumulative 5-1/2 percent preferred stock, Series A, of Alleghany Corporation," was received in evidence and marked Plaintiffs' Exhibit 190, as of this date. |

[fol. 1757]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 191 | 334 | | Document above referred to, submitted by Mr. Haudek, entitled "Alleghany Corporation --Exchange over of Chicago, Rock Island & Pacific Railroad Company common stock -- the Chesapeake & Ohio Railroad Company common stock -- the Kansas City Southern Railway Company 4 percent non-cumulative preferred stock, for preferred stocks of Alleghany Corporation," was received in evidence and marked Plaintiffs' Exhibit 191, as of this date. |
| Pl. 192 | 335 | | Invitation for tenders by Alleghany Corporation, above referred to, submitted by Mr. Haudek, dated December 17, 1949, was received in evidence and marked Plaintiffs' Exhibit 192, as of this date. |
| Pl. 193 | 335 | | Document above referred to, submitted by Mr. Haudek, entitled "Alleghany Corporation -- Exchange over of Alleghany Corporation 5 percent sinking fund debentures, Series A, due November 1, 1952, and common stock subscription warrants for cumulative 5-1/2 preferred stock, Series A, of Alleghany Corporation, was received in evidence and marked Plaintiffs' Exhibit 193, as of this date. |
| Pl. 194 | 336 | | Document above referred to, submitted by Mr. Haudek, entitled "Alleghany Corporation -- Exchange over of Alleghany Corporation -- 4 prior preferred convertible stock for prior preferred convertible stock of Alleghany Corporation," was received in evidence and marked Plaintiffs' Exhibit 194, as of this date. |
| Pl. 195 | 338 | | Copy of letter above referred to, submitted by Mr. Haudek, on the letterhead of Investors Diversified Services, Inc., dated October 14, 1952, addressed to Mr. Charles Shipman, signed in blank, "Frank R. Kessel" was received in evidence and marked Plaintiffs' Exhibit 195, as of this date. |
| Pl. 196 | 339 | | Copy of document above referred to, submitted by Mr. Haudek, headed "Chesapeake Industries, Inc. -- Roster of Officers and Directors -- 4/26/50 to 12/28/54," consisting of four pages, was received in evidence and marked Plaintiffs' Exhibit 196, as of this date. |

[fol. 1758]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| Pl 197 | 340 | | Annual Report of Chesapeake Industries, Inc., above referred to, submitted by Mr. Haudek, for the year 1952, was received in evidence and marked Plaintiffs' Exhibit 197, as of this date. |
| Pl 198 | 340 | | Annual report of Chesapeake Industries, Inc., above referred to, submitted by Mr. Haudek, for the year 1953, was received in evidence and marked Plaintiffs' Exhibit 198, as of this date. |
| Pl 199 | 340 | | Annual report of Chesapeake Industries, Inc., above referred to, submitted by Mr. Haudek, for the year 1954, was received in evidence and marked Plaintiffs' Exhibit 199, as of this date. |
| Pl 200 | 341-2 | | Document above referred to, submitted by Mr. Haudek, entitled, "Certificate," being an excerpt from the meeting of the board of directors of Alleghany Corporation of August 21, 1952, consisting of two pages, signed, on the 19th day of September, 1955, by David W. Wallace was received in evidence and marked Plaintiffs' Exhibit 200, as of this date. |
| Pl 201 | 342 | | Document above referred to, submitted by Mr. Haudek, being an excerpt from the minutes of the meeting of the executive committee of Alleghany Corporation held July 13, 1953, consisting of 3 pages and signed by David W. Wallace on the 21st day of September, 1955, was received in evidence and marked Plaintiffs' Exhibit 201 as of this date. |
| Pl 202 | 343-4 | | Document above referred to, submitted by Mr. Haudek, being an excerpt from the minutes of a meeting of the board of directors of Alleghany Corporation held on August 21, 1952, consisting of two pages, and witnessed by David W. Wallace as secretary on the 19th day of September, 1955, was received in evidence and marked Plaintiffs' Exhibit 202, as of this date. |
| Pl 203 | 344-5 | | Document above referred to, submitted by Mr. Haudek, entitled "Alleghany Corporation 5-1/2 Series A preferred stock," was received in evidence and marked Plaintiffs' Exhibit 203, as of this date. |
| Pl 204 | 345-6 | | Photostatic copy of letter above referred to, submitted by Mr. Haudek, on the letterhead of Alleghany Corporation, dated January 20, 1950, addressed to Alleghany Corporation, signed, "Robert R. Young," was received in evidence and marked Plaintiffs' Exhibit 204, as of this date. |

[fol. 1759]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 205 ev.(Pl.) | 424 | 10/5/55 | Consolidated Balance Sheet of Gulf Coast Rice Farms, together with letter to stockholders by the president, submitted by Mr. Adams |
| 206 ev.(Pl.) | 435 | | Document submitted by Mr. Adams, entitled "Joint Venture Agreement -- Murchison Brothers with Alleghany Corp-re: A-M Venture No. 7 dtd April 17, 1953 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 207 ev.(Obj.) | 632 | 10/6/55 | Document submitted by Mr.Graubard,being a complaint in the U.S.Dist.Court,Southern Dist.of New York,in matter of Breswick & Co.and Myron Neisloss,etc.,plaintiffs, against O.Henry Briggs.et al.defendants |
| 208 id.(Pl.) | 740 | | "New York" magazine dtd July 3,1954, submitted by Mr.Graubard |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| C ev.(Ref.) | 764 | 10/13/55 | Letter on ltrhead of Davis & Quat, submitted by Referee,dtd Oct.10,1955, addressed to Ref.Robt.J.Fitzsimmons, re: Sadie Zenn vs J.J.Anzalone,signed "Davis & Quat" |
| 209 ev.(Pl.) | 766 | | Photostatic copy of document submitted by Mr.Daly,entitled "Resolution of Executive Committee of Board of Directors of Alleghany Corp -- Feb.5,1951 |
| 210 ev.(Pl.) | 767 | | Photostatic copy of document submitted by Mr.Daly,dtd Oct.31,1955 entitled "Alleghany corp-- Location of All New York Central Railroad Co. stock certificates |
| 211 ev.(Pl.) | 768 | | Document submitted by Mr.Daly,entitled "Purchases of New York Central Railroad Company common stock 1946-1947-1954(thru June 30,1954)" |
| 212 ev.(Pl.) | 770 | | Copy of judgment submitted by Mr.Daly, entered in District Court of U.S.for District of Minnesota |
| 213 ev.(Pl.) | 773 | | Document submitted by Mr.Daly,entitled "Schedule of Alleghany Corp--Capital Gains and Losses |
| 214 id(Pl.) | 818 | | Affidavit submitted by Mr.Blumenthal in matter of Sadie Zenn vs J.J.Anzalone |
| 214 id.(Pl.) | 845 | | Photostatic copy affidavit signed 27th day of July,1953 |

[fol. 1762]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Obj. 215 | 845 | 10/13/55 | Photostatic copy of affidavit above referred to, submitted by Mr. Graubard, consisting of two pages, sworn to and signed on the 27th day of July, 1955, by William J. Hudson, Jr. was marked Opponents' Exhibit 215 for identification, as of this date. |
| Def. 216 | 1023 | 10/26/55 | Document submitted by Mr. Wallace, entitled "Date Loaned" -- "Principal Amount" -- "Date Repaid" -- "Interest Paid" and "Date of Payment," statement of the indebtedness of Clint W. Murchison and Sid W. Richardson, since January, 1954, to date, to Alleghany Corporation. |
| Def. 217 | 1023 | | Four-page schedule of Alleghany's acquisitions of stock of the New York Central Railroad Company since June 30, 1954, entitled " cquisition Data re: purchases of New York Central Railroad Company, common stock. |
| Def. 218 | 1045 | | Document submitted by Mr. Daly, entitled "Memorandaum -- Zenn versus Anzalone," dated 10/22/55, consisting of 12 pages. |
| Def. 219 | 1073 | | Document submitted by Mr. Adams dated October 20, 1955, entitled "Memo re: Financing of purchase of 800,000 shares of New York Central stock by Murchison and Richardson." |
| Def. 220 | 1181 | | Letter on the letterhead of Clint W. Murchison, 1201 Main Street, Dallas, Texas, dated May 8, 1954, addressed to "Dear Central Shareholders," signed Clint W. Murchison;" together with four sheets of white paper attached, submitted by Mr. Graubard. |

[fol. 1763]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 221 id. | 1221 | 10/31/55 | Newspaper article on page 41 of "The New York Times" of Wednesday, Oct. 26, 1955, submitted by Mr. Graubard, entitled "Vanderbilt says he wanted stock--denies assertion that he had rejected shares firgging in battle for Central". |
| 222 ev. | 1261 | | Document submitted by Mr. Wallace, entitled "Morandum" dtd 10/27/55. |
| Pl. 223 | 1571 | 11/3/55 | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to March 31, 1949". |
| Pl. 224 | 1574 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to June 30, 1949". |
| Pl. 225 | 1575 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to September 30, 1949". |
| Pl. 226 | 1576 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to March 31, 1950". |
| Pl. 227 | 1577 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to June 30, 1950". |
| Pl. 228 | 1578 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to September 30, 1950". |
| Pl. 229 | 1579 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to March 31, 1951". |
| Pl. 230 | 1580 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to June 30, 1951". |
| Pl. 231 | 1581 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1 to September 30, 1951". |

[fol. 1764]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| Pl. 232 | 1581 | 11/3/55 (cont'd) | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to March 31, 1952". |
| Pl. 233 | 1582 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to June 30, 1952". |
| Pl. 234 | 1583 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to September 30, 1952". |
| Pl. 235 | 1584 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to March 31, 1953". |
| Pl. 236 | 1585 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to June 30, 1953". |
| Pl. 237 | 1586 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to September 30, 1953". [Rpl. 1765] |
| Pl. 238 | 1587 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to March 31, 1954". |
| Pl. 239 | 1587 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to June 30, 1954". |
| Pl. 240 | 1588 | | Statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Alleghany Corporation--Income and Surplus Statements--for the period January 1, to September 30, 1954". |
| Pl. 241 | 1589 | | Proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Annual Meeting of Stockholders May 4, 1949". [Exhibit 241 previously marked Pl. Exh. 21-A on Mr. Wallace's deposition.] 1245 |
| | | | [Mentions that Alleghany's proxy statement for 1950 has previously been marked as Pl. Exh. 30.] |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 242 | 1590 | 11/3/55 (cont'd) | Proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Annual Meeting of Stockholders May 2, 1951". [Exhibit 242 previously marked Pl. Exh. 22-C on Mr. Wallace's deposition.] |
| Pl. 243 | 1591 | | Proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Annual Meeting of Stockholders May 7, 1952". [Exhibit 243 previously marked Pl. Exh. 22-D on Mr. Wallace's deposition.] |
| Pl. 244 | 1592 | | Photostat copy of proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Special Meeting of Cumulative 5-1/2 percent Series A Preferred Stockholders--September 30, 1952", consisting of 27 pages. [Exhibit 244 previously marked Pl. Exh. 22-E on Mr. Wallace's deposition.] |
| Pl. 245 | 1593 | | Proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Annual Meeting of Stockholders May 6, 1953". [Exhibit 245 previously marked Pl. Exh. 22-F on Mr. Wallace's deposition.] |
| Pl. 246 | 1594 | | Proxy statement submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Proxy Statement--Alleghany Corporation--Annual Meeting of Stockholders, May 5, 1954". [Exhibit 246 previously marked Pl. Exh. 22-G on Mr. Wallace's deposition.] |
| Pl. 247 | 1596 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Amended Articles of Incorporation of Investors Syndicate of America, Inc.," consisting of five pages. [Exhibit 247 previously marked Pl. Exh. 32 on Mr. Wallace's deposition.] |
| Pl. 248 | 1597 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, Amended by-laws of Investors Syndicate of America, Inc.," said document being a copy thereof, consisting of 11 pages. [Exhibit 248 previously marked Pl. Exh. 33 on Mr. Wallace's deposition.] |
| Pl. 249 | 1598 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Amended Certificate of Incorporation of Investors Mutual, Inc.," consisting of 11 pages. [Exhibit 249 previously marked Pl. Exh. 34 on Mr. Wallace's deposition.] |

[fol. 1766]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 250 | 1599 | 11/3/55 (cont'd) | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Amended By-Laws of Investors Mutual, Inc.," consisting of 11 pages. [Exhibit 250 previously marked Pl. Exh. 35 on Mr. Wallace's deposition.] |
| Pl. 251 | 1600 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Amended Certificate of Incorporation of Investors Selective Fund, Inc.," dated July 8, 1947, consisting of 8 pages. [Exhibit 251 previously marked Pl. Exh. 36 on Mr. Wallace's deposition.] |
| Pl. 252 | 1601 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "By-Laws of Investors Selective Fund, Inc.," consisting of 12 pages. [Exhibit 252 previously marked Pl. Exh. 37 on Mr. Wallace's deposition.] |
| Pl. 253 | 1602 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Amended Certificate of Incorporation of Investors Stock Fund, Inc.," dated July 8, 1947, consisting of 8 pages. |
| Pl. 254 | 1603 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "By-Laws of Investors Stock Fund, Inc.," consisting of 12 pages. [Exhibit 254 previously marked Pl. Exh. 39 on Mr. Wallace's deposition.] |
| Pl. 255 | 1606 | | Photostatic copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Have the Insiders Taken Advantage of Alleghany's Stockholders?", consisting of 12 pages. [Pl. 1767] |
| Pl. 256 | 1608 | | Listing application of Alleghany Corporation, submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "A-15485--Department of Stock List--New York Stock Exchange--Alleghany Corporation 6% convertible preferred stock (par value $10 per share)--common stock (par value $1 per share)--New York, N.Y., March 1, 1955." |
| Pl. 257 | 1609 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Summary of the Alleghany Corporation Annual Stockholders' Meeting May 5, 1954". |
| Pl. 258 | 1610 | | Photostatic copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, on the letterhead of Alleghany Corporation, Chrysler Building, New York 17, New York, addressed to the Alleghany Corporation, signed, "J. J. Anzalone." 1247 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| Pl. 259 | 1612 | 11/3/55 (cont'd) | Copy of memorandum to Mr. Allan P. Kirby submitted by Mr. Daly on behalf of Mr. Haudek, dated April 4, 1950, signed, in blank, "J. J. Anzalone". |
| Pl. 260 | 1615 | | Copy of copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, dated May 11, 1950, addressed to Mr. Robert R. Young, 4500 Chrysler Building, New York 17, N.Y., signed, in blank, "Alleghany Corporation by vice president". |
| Pl. 261 | 1616 | | Copy of copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, dated May 11, 1950, addressed to Mr. J. J. Anzalone, 3600 Terminal Tower, Cleveland, 13, Ohio, signed, in blank, "Alleghany Corporation by treasurer". |
| Pl. 262 | 1617 | | Copy of copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, dated May 11, 1950, addressed to Allan P. Kirby, 17 De Hart Street, Morristown, New Jersey, signed, in blank, "Alleghany Corporation by vice president". |
| Pl. 263 | 1618 | | Copy of copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, dated May 26, 1950, addressed to J. P. Morgan & Co., Incorporated, 23 Wall Street, New York 8, N.Y., attention: Mr. S. J. Geisman--Assistant Secretary, signed, in blank, "Alleghany Corporation by vice president". |
| Pl. 264 | 1620 | | Original proposal submitted to the Securities and Exchange Commission in the matter of proposed transfer of control of Investors Diversified Services, Inc., submitted by Mr. Daly on behalf of Mr. Haudek, consisting of 7 pages plus attached page number 9, entitled, "Conclusion," signed, in blank, "David W. Wallace," as attorney for Alleghany Corporation, and "William E. Stockhausen," as attorney for Murchison Brothers. [fol. 1768] |
| Pl. 265 | 1621 | | Photostatic copy of letter from the Securities and Exchange Commission, submitted by Mr. Daly on behalf of Mr. Haudek, dated March 10, 1955, addressed to Alleghany Corporation, 4500 Chrysler Building, New York 17, New York, and Murchison Brothers, 1201 Main Street, Dallas, Texas, re: Investors Diversified Services, Inc. and Alleghany Corporation, consisting of 3 pages, signed, "Robert A. McDowell," as director. |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 266 | 1624 | 11/3/55 (cont'd) | Copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, on the stationery of Alleghany Corporation, dated February 16, 1955, addressed to the Securities and Exchange Commission, Washington 25, D.C., attention of Mr. Lawrence Mr. Greene, assistant director, Division of Corporate Regulation, consisting of 2 pages, signed, "David W. Wallace." |
| Pl. 267 | 1625 | | Copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, on the letterhead of Alleghany Corporation, 4500 Chrysler Building, New York 17, New York, date February 21, 1955, addressed to the Securities and Exchange Commission, Washington 25, D.C., attention of Mr. Lawrence M. Greene, assistant director, Division of Corporate Regulation, signed, "David W. Wallace". |
| Pl. 268 | 1626 | | Certificate of excerpt from minute of May 17, 1949, meeting of the board of directors of Alleghany Corporation, submitted by Mr. Daly on behalf of Mr. Haudek, consisting of 2 pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 30th day of September, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence. |
| Pl. 269-A and B | 1628 | | Photostatic copy of letter on the letterhead of Burgess, Fulton & Fullmer, attorneys and counsellors, 1250 Terminal Tower Building, Cleveland, Ohio, dated May [illegible] 1949, addressed to Mr. Robert W. Purcell, 3600 Terminal Tower, Cleveland, Ohio, re Investors Diversified Services, Inc., signed, "Burgess, Fulton & Fullmer, by R. F. Fullmer"; together with copy of letter attached, dated April 26, 1949, from R. W. Purcell to Mr. E. E. Crabb, 200 Roanoke Building, Minneapolis, Minnesota, both submitted by Mr. Daly on behalf of Mr. Haudek. [fol. 1769] |
| Pl. 270 | 1630 | | Photostatic copy of voucher submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "No. 9188--Alleghany Corporation--Cash Paid Voucher," dated July 24, 1950, covering the purchase of 3034 shares of Investors Diversified Services, Inc. common (voting) stock at $20 per share by Alleghany Corporation from Earl E. Crabb, consisting of 2 pages. |
| Pl. 271 | 1631 | | Photostatic copy of transfer slip submitted by Mr. Daly on behalf of Mr. Haudek, taken from the files of Alleghany Corporation, entitled, "Manufacturers Trust Company--No. D 23244--from First National Bank of Minneapolis, against payment. A/C Mr. Earl E. Crabb". |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 272 | 1635 | 11/3/55 (Con'd) | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "The following was received by telephone from Miss Calcic of the New York Stock Exchange research department: Prices of Chesapeake & Ohio stock -- January 19, 1954," was received in evidence and marked Plaintiffs' Exhibit 272, as of this date.) |
| Pl. 273 | 1636 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled "The following was received by telephone from Miss Calcic of the New York Stock Exchange research department: Prices of the New York Central stock -- March 15, 1954, " was received in evidence and marked Plaintiffs' Exhibit 273, as of this date. |
| (Pl. 274-A, B,C and D. & 1639) | 1637-1638, | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Form 4 -- Securities and Exchage Commission, Washington, 25 D.C.--Report for Calendar Month Ending April 20, 1954," filed by Robert R. Young, was received in evidence and marked Plaintiffs' Exhibit 274-A, as of this date.)<br><br>Document submitted by Mr. Daly on behalf of on behalf of Mr. Haudek, entitled "Form 4 -- Securities and Exchange Commission, Washington, 25. D.C.-- Report for Calendar Month Ending May 31, 1954," filed by. Robert R. Young, was received in evidence and marked Plaintiffs' Exhibit 274-B, as of this date.<br><br>Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Form 4 -- Securities and Exchange Commission, Washington 25, D. C.-- Report for Calendar Month Ending September 30, 1954," filed by Robert R. Young, was received in evidence and marked Plaintiffs' Exhibit 274-C, as of this date.<br><br>Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Form 4 -- Securities and ExchangeCommission, Washington 25, D.C.-- Report for Calendar Month Ending November 30, 1954," filed by Robert R. Young, was received in evidence and marked Plaintiffs' Exhibit 274-D, as of this date. |
| Pl. 275 | 1643 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Portfolio of Alleghany Corporation as of October 3, 1955," signed by David W. Wallace as secretary and treasurer of Alleghany Corporation, was received in evidence and marked Plaintiffs' Exhibit 275, as of this date. |

[fol. 1770]

[fol. 1250]

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| Pl. 276 | 1644 | 11/3/55 (con'd) | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Supreme Court of the State of New York, County of New York -- Sadie Zenn, et al, plaintiffs, against J. J. Anzalone, et al, defendants," sworn to on the 27th (or 29th) day of September, 1955, by Nicholas Schepis, before a notary public of the State of New York, was received in evidence and marked Plaintiffs' Exhibit 276, as of this date. |
| Pl. 277 | 1645 | | Statement referred to, entitled, "Investors Diversified Services, Inc., --Annual Report to Stockholders, June 30, 1955" |
| Pl. 278 | 1646 | | Photostatic copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Agreement between Robert R. Young, Mrs. Anita O'K. Young, and Arthur S. Kleeman -- dated, 1954," on the stationery of White & Case, 14 Wall Street, New York 5, N.Y., consisting of 11 pages. |
| Pl. 279 | 1647 | | Photostatic copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Collateral Note -- September 10, 1952 -- $67,500.00," consisting of 4 pages, signed, "Herman R. Neff," |
| Pl. 280 | 1648 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, in connection with the 5000 share certificate of Portsmouth Steel Corporation. |
| Pl. 281 | 1649 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Record of interest payments by Herman R. Neff covering his note to Alleghany Corporation dated September 10, 1952 in the amount of $67,500.00. |
| Pl. 282 | 1650 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled "List of Alleghany-Murchison joint ventures." |
| Pl. 283 | 1655 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled "Certified copy of Resolutions Adopted by the Board of Directors of Investors Diversified Services, Inc." covering meeting of the board of directors of said corporation held on August 4, 1953, containing certification by T. L. Kenealy, secretary of Investors Diversified Services, Inc., dated Minneapolis, Minnesota, Oct. 4, 1955 |

[fol. 1771]

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| Pl. 284 | 1657-1658 | 11/3/55 (con'd) | Document submitted by Mr. Daly on behalf of Mr. Haudek; entitled, "Certified Copy of Resolutions Adopted by Holders of Common Stock of Investors Diversified Services, Inc.," covering resolutions adopted by holders of common stock of Investors Diversified Services, Inc. at the annual meeting of the stockholders on April 20, 1954, certified by T. L. Kenealy, secretary of Investors Diversified Services, Inc. dated Minneapolis, Minnesota, October 4, 1955, was received in evidence and Marked Plaintiffs' Exhibit 284. |
| Pl. 285 | 1658-1659 | | Copy of news release, submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "From I.D. S. News Bureau -- Investors Diversified Services, Inc. -- For release, noon, August 5, 1953, or thereafter -- I.D.S. To Split Stock," |
| Pl. 286 | 1659-1660 | | Copy of press release submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "For Immediate Release -- Investors Diversified Services, Inc. Application to Split Stock Granted by Securities Exchange Commission," dated Minneapolis, March 30th. [fol. 1772] |
| Pl. 287 | 1661 | | Copy of press release submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "For Immediate Release -- I.D.S. Stockholders Vote Five for One Split," dated Minneapolis, April 20. |
| Pl. 288 | 1661 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, on the letterhead of Investors Diversified Services, Inc. entitled, "Notice of Annual Meeting of Holders of 'Common Stock' to be Held April 20, 1954," signed, in blank, by H. T. Newcomb as secretary, and containing the notation at the bottom of the page "Dated this 7th day of April 1954." 1952 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 289 | 1663 | 11/3/55 (con'd) | Photostatic copy of document submitted by Mr. Daly on behalf of Mr. Haudek, containing supplemental agreement by and between Murchison Brothers and Allegheny Corporation on the 15th day of July, 1954, signed by John Dabney Murchison and Clint W. Murchison, Jr. on behalf of Murchison Brothers and Alleghany Corporation by Thomas A. Deegan, Jr. attested to by Charles T. Ireland, Jr. as secretary of Alleghany Corporation, consisting of 3 pages, together with Exhibit A attached, consisting of 8 pages, together with Clint W. Murchison, Sr.'s guarantee attached, dated, "Weehauken, N.J., July 13, 1954". |
| Pl. 290 | 1665 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled "The following list was received by me from Mr. Joseph M. Fitzsimmons, president and a director of Investors Diversified Services, Inc. and according to Mr. Fitzsimmons lists all directors, presidents, and vice presidents of Investors Diversified Services, Inc. from 1950 to date," consisting of 2 pages, signed, on October 21, 1955, by David W. Wallace as secretary and treasurer of Alleghany Corporation. [fol. 1773] |
| Pl. 291 | 1666 | | Certificate of excerpt from minutes of November 23, 1954, meeting of the board of directors of Alleghany Corporation, submitted by Mr. Daly on behalf of Mr. Haudek, consisting of 2 pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 20th day of Oct. 1955, and notarized on same date by a notary public of State of New York. |
| Pl. 292 | 1671 | | Document submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "The following information was obtained from Mr. Norman Waag of Investors Diversified Services, Inc.: 1949 quarterly earnings: (Combined earnings of I.D.S. and subsidiaries) |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl. 293 | 1674 | 11/3/55 (con'd) | Document submitted by Mr. Daly on behalf of Mr. Haudek, dated Oct. 10, 1955, entitled, "Combined Earnings of U.S. and Subsidiary Companies as dictated by Mr. Norman Waag -- From Investors Diversified Services, Inc. |
| (Pl.271A) | 1675 | | Copy of copy of letter submitted by Mr. Daly on behalf of Mr. Haudek dated July 24, 1950, addressed to Manufacturers Trust Company, 55 Broad St., New York 15, N.Y. attention: Mr. S. P. Bahr, Trust Officer, signed "Alleghany Corporation by vice-president-- by assistant secretary |
| Pl. 294 | 1677-1678 | | Photostatic copy of document submitted by Mr. Daly on behalf of Mr. Haudek, entitled "United States of America before the Securities and Exchange Commission, July 7, 1954-- In the matter of Alleghany Corporation. File No. 811-338)(Investment Company Act of 1940)," consisting of six pages, signed, in blank, by Orval L. DuBois as secretary, was received in evidence and marked Plaintiffs' Exhibit 294, as of this date. |
| Pl. 295 | 1678 | | Order submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "United States of America before the Securities and Exchange Commission, October 18, 1954- In the matter of Alleghany Corporation (File No. 811-338) (Investment Company Act of 1940), consisting of 2 pages, signed by Orval L. DuBois as secretaty." |
| (Pl. 296-A, (B and C. | 1680, 1681- | | Copy of document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, dated March 18, 1955, entitled, "Memorandum to: Mr. William Bowen and Mr. David Wallace, Alleghany Corporation, signed, in blank, "H. K. Bradford," marked Plaintiffs' Exh. 296-A [fol. 1773a]<br><br>Copy of letter submitted by Mr. Daly on behalf of Mr. Haudek, on letterhead of Chapman and Cutler, dated March 17,1955, addressed to board of directors of Investors Mutual, Inc. Minneapolis, Minn., consisting of 4 pages, signed, "Chapman and Cutler," marked Plaintiffs Exhibit 296-B.<br><br>Copy of letter submitted by Mr.Daly on behalf of Mr. Haudek, on letterhead of Burgess,Fullmer,Parker and Weh,dated Mar.17,55 addressed to board of directors of Investors Stock Fund,Inc. consisting of 3 pages, signed,"Burgess,Fullmer,Parker & Weh. (Plaintiffs' Exhibit 296-C) |

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| Pl. 297 | 1682 | 11/3/55 (Con'd) | Document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Investors Selective Fund, Inc., Minneapolis, Minnesota-- Notice of annual meeting of stockholders of Investors Selective Fund, Inc. to be held April 20, 1955," containing the pen and ink notation in the upper left hand corner "As filed with SEC," consisting of 9 pages, [fol. 1774] |
| Pl. 298 | 1685 | | Copy of document submitted by Mr. Daly on behalf of Mr. Haudek, dated New York, August 16, 1955, addressed to Mr. David W. Wallace, consisting of 2 pages, signed in blank, "John F. Condon," |
| Pl. 299 | 1686 | | Copy of note submitted by Mr. Daly on behalf of Mr. Haudek, entitled "$4,143,750 -- December 31, 1953," consisting of four pages, signed by John Dabney Murchison and Clint W. Murchison, Jr. on behalf of Murchison Brothers, together with guarantee of Clint W. Murchison attached, was marked Plaintiffs' Exhibit 299, as of this date. |
| Pl. 300 | 1687 | | Copy of telegram submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "The following telegram was received at 1:50 p. m., E.D.S.T., on June 23, 1955," dated 1955 June 23, addressed to David Wallace, Alleghany Corp. care White & Case, 14 Wall Street, N. Y. K, signed in blank, "Wheeler & Wheeler," 1255 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl 301 | 1710 | 11/10/55 | Document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "The following figures were obtained from Mr. Norman Waag of Investors Diversified Services, Inc." was received in evidence and marked Plaintiffs' Exhibit 301, as of this date. |
| Pl 302 | 1711 | | Reproduced copy of telegram above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, from David W. Wallace, attorney for Alleghany Corporation, and Satterlee, Warfield & Stephens, attorneys for Murchison Brothers, to Lawrence M. Greene, assistant director, Division of Corporate Regulation, Securities and Exchange Commission, was received in evidence and marked Plaintiffs' Exhibit 302, as of this date. |
| Pl 303 | 1713 | | Document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, entitled, "Form 4 -- Securities and Exchange Commission -- Report for Calendar Month Ending June 30, 1955 -- Alleghany Corporation -- Robert R. Young," signed, in blank, "Robert R. Young," was received in evidence and marked Plaintiffs' Exhibit 303, as of this date. |
| Pl 304-A,B,C | 1714-15 | | Document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, were received in evidence and marked as follows: document entitled, "Investors Selective Fund, Inc., Minneapolis, Minnesota -- Notice of Annual Meeting of Stockholders of Investors Selective Fund, Inc. to be held April 20, 1955," dated March 21, 1955, Plaintiffs' Exhibit 304-A; document entitled, "Investors Selective Fund, Inc. -- Minneapolis, Minnesota -- Management Proxy for Annual Meeting," was marked Plaintiffs' Exhibit 304-B; document entitled, Investors Selective Fund, Inc. --Statement of Net Assets and Capital Stock and Surplus -- November 30, 1954 -- 1953," was marked Plaintiffs' Exhibit 304-C, as of this date. [fol. 1775] |
| Pl 305-A,B,C | 1715-16 | | Documents above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, were received in evidence and marked as follows: document entitled, "Investors Mutual, Inc. -- Minneapolis, Minnesota -- Notice of Annual Meeting of Stockholders of Investors Mutual, Inc. to be held April 20, 1955," dated March 21, 1955, was marked Plaintiffs' Exhibit 305-A; document entitled "Investors Mutual, Inc.-- Minneapolis, Minnesota -- Management Proxy [fol. 1256] |

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| Pl 305-A,B,C | 1715-16, CONT'D | | for Annual Meeting," was marked Plaintiffs' Exhibit 305-B; document entitled "Investors Mutual, Inc. -- Statement of Net Assets and Capital Stock and Surplus September 30, 1954 -- 1953, " was marked Plaintiffs' Exhibit 305-C, as of this date. [fol. 1776] |
| Pl 306-A,B,C | 1717 | | Document above referred to, submitted by Mr. Daly on behalf of Mr. Haudek were received in evidence and marked as follows: document entitled "Investors Stock Fund, Inc. --Minneapolis, Minnesota -- Notice of Annual Meeting of Stockholders of Investors Stock Fund, Inc. to be held April 20, 1955," dated March 21, 1955, was marked Plaintiffs' Exhibit 306-A; document entitled "Investors Stock Fund, Inc. -- Minneapolis, Minnesota, -- Management Proxy for Annual Meeting," was marked Plaintiffs'Exhibit 306-B; document entitled "Investors Stock and Surplus --October 31, 1954 -- 1953," was marked Plaintiffs' Exhibit 306-C, as of this date. |
| Pl 307 | 1718 | | Reproduced copy of opinion in the Rosen against Alleghany case, above referred to, submitted by Mr. Daly on behalf of Mr. Haudek, consisting of 12 pages, was received in evidence and marked Plaintiffs' Exhibit 307, as of this date. |
| Pl 308 | 1755 | | Photostatic copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- July 22, 1955," signed by Henry J. Guild, Thomas J. Deegan, Jr.; Robert R. Young, Allan P. Kirby and Herman R. Neff, was received in evidence and marked Defendants' Exhibit 308, as of this date. |
| Pl 309 | 1848 | 11/16/55 | State court complaints above referred to, commenced either in the Supreme Court, New York County, or in the Supreme Court, Kings County, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 309, as of this date. |
| Pl 310 | 1849 | | Folder containing Federal Court complaints, above referred to, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 310, as of this date. |
| Pl 311 | 1850 | | Copy of complaint in the United States District Court for the Southern District of New York, in the case of Zenn against Alleghany Corporation, above referred to, submitted by Mr. Haudek, was received in evidence and marked Plaintiffs' Exhibit 311, as of this date. 1257 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Pl 312 | 1851 | | Non-consolidated Federal Court complaints above referred to, submitted by Mr. Haudek, were received in evidence and marked Plaintiffs' Exhibit 312, as of this date. |
| Pl 313 | 1855 | | Ribbon copy of letter above referred to, submitted by Mr. Wallace, on the stationery of White & Case, 14 Wall Street, New York 5, New York., entitled, "Re: Rosen, et al v. Alleghany Corporation and Robert R. Young -- (Civil Action No. 101-32)," addressed to Honorable Edward J. Dimock, United States District Court Judge, United States Court House, Foley Square, New York 7, New Yor, consisting of three pages, signed, in blank, "David Hartfield, Jr.," was received in evidence and marked Defendants' Exhibit 313, as of this date. |
| Pl 314 | 1855-6 | | Ribbon copy of letter above referred to, entitled, "Rosston, Hort (sic) & Brussel, attorneys, 141 Broadway, New York 6, N.Y.., addressed to Honorable Edward J. Dimock, United States District Judge, Federal Court House, Foley Square, New York City, "Re: Rosen v. Alleghany Corporation" -- Civil 101-32, consisting of four pages, signed, in blank, "George Brussel," said exhibit having been submitted by Mr. Wallace, was received in evidence and marked Defendants' Exhibit 314, as of this date. |
| Pl 315 | 1857 | | Document above referred to, entitled, "The Commercial and Financial Chronicle contains the following quotation for the month of July, 1953, for Industrial Brownhoist, Inc.," signed by David W. Wallace as secretary and treasurer, was received in evidence and marked Plaintiffs' Exhibit 315, as of this date. |
| OBJ316 | 1870-1 | | Copy of original minute above referred to, submitted by Mr. Graubard, entitled 'Exhibit A' -- Supreme Court of the State of New York -- Sadie Zenn, et al, plaintiffs against J. J. Anzalone, et al, defendants -- Index No. 7244/1954 -- Stipulation of Settlement," consisting of 14 pages, was received in evidence and marked Objectants' Exhibit 316, as of this date. |
| 317 | 1906 | | Document above referred to, dated April 19, 1949, entitled, "To: Alleghany Corporation board of directors -- from: Robert R. Young, chairman," consisting of five pages, was received in evidence and marked Exhibit 317, as of this date. |

[fol. 1777]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 318 | 1908-09 | | Letter above referred to, submitted by Mr. Graubard, on the letterhead of National Quotation Bureau Incorporation, 46 Front Street, New York 4, N.Y., dated September 9, 1955, addressed to Alleghany Corp. 230 Park Avenue, New York 17, N.Y., was received in evidence and marked Objectants' Exhibit 318, as of this date. |
| OBJ. 319 | 1972-3 | 11/17/55 | Copy of letter above referred to, submitted by Mr. Graubard, dated April 25, 1949, addressed to Mr. B. C. Gamble, 15 North 8th Street, Minneapolis 3, Minnesota, consisting of three pages, signed by R. W. Purcell as vice president of Alleghany Corporation, was received in evidence and marked Objectants' Exhibit 319, as of this date. |
| OBJ. 320 | 1973 | | Copy of letter above referred to, submitted by Mr. Graubard, dated June 15, 1949, addressed to Mr. H. K. Bradford, Investors Diversified Services, Inc., Roanoke Building, Minneapolis 2, Minnesota, consisting of two pages, and containing, in the lower left hand corner of the second page, the notation, "RWPURCELL: ME," was received in evidence and marked Objectants' Exhibit 320, as of this date. |
| OBJ. 321 | 1974 | | Copy of letter above referred to, submitted by Mr. Graubard, dated January 11, 1949, addressed to Mr. Robert R. Young, the Towers, North County Road, Palm Beach, Florida, signed, in blank, "A. J. Stiver," and containing, in the lower left hand corner, the notation, "Enc. CC-Mr. Charles Shipman, New York, New York," was received in evidence and marked Objectants' Exhibit 321, as of this date. |
| OBJ. 322 | 1975-6 | | Copy of memorandum above referred to, submitted by Mr. Graubard, entitled "To Mr. Robert R. Young -- Date February 18, 1949 -- from Charles Shipman -- Re: Investors Syndicate," consisting of two pages, and containing, in the lower left hand corner of page 2, the notation, "CC: Mr. R. W. Purcell," was received in evidence and marked Objectants' Exhibit 322, as of this date. |
| OBJ. 323 | 1976 | | Copy of letter above referred to, submitted by Mr. Graubard, dated April 29, 1949, addressed to Mr. Robert R. Young, Chrysler Building, 405 Lexington Avenue, New York, New York, signed, in blank, "Galen Van Meter," and containing, in the lower left hand corner, "Copy to Mr. R. W. Purcell," was received in evidence and marked Objectants' Exhibit 323, as of this date. |

[fol. 1778]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 324 | 1977 | | Copy of letter above referred to, submitted by Mr. Graubard, dated January 20, 1950, addressed to Mr. Robert R. Young, the Towers, North County Road, Palm Beach, Florida, and containing the notation, "Yours, secretary to Mr. Purcell," with the name M. Stivers typewritten in the lower left hand corner, was received in evidence and marked Objectants' Exhibit 324, as of this date. |
| OBJ. 325 | 1978 | | Documents above referred to, submitted by Mr. Graubard, consisting of copy of a letter dated January 20, 1950, addressed to Mr. Robert R. Young, the Towers, North County Road, Palm Beach, Florida, being unsigned, and containing, in the lower left hand corner, the notation, "RWP:MS"; together with copy of letter entitled "Investors Diversified Services, Inc., Minneapolis," dated January 14, 1950, addressed to Mr. R. W. Purcell, 3600 Terminal Tower, Cleveland, Ohio, consisting of five pages, signed, in blank, "E.E. Crabb," were received in evidence and marked Objectants' Exhibit 325, as of this date. |
| OBJ. 326 | 1979 | | Copy of letter above referred to, submitted by Mr. Graubard, dated January 27, 1950, addressed to Mr. Robert R. Young, the Towers, North County Road, Palm Beach, Florida, and containing the notation at the end of the letter sincerely yours, secretary to Mr. Purcell," and containing, in the lower left hand corner, the typewritten notation "M. Stivers," was received in evidence and marked Objectants' Exhibit 326, as of this date. |
| OBJ. 327 | 1980-1 | | Copy of letter above referred to, submitted by Mr. Graubard, dated February 11, 1950, addressed to Mr. Robert R. Young, 4500 Chrysler Building, New York 17, N.Y., and Mr. Allan P. Kirby, Millbank, Camden, South Carolina, consisting of four pages, said letter being unsigned, and containing, in the lower left hand corner, the typewritten notation, "RWPurcell"; together with memo attached, dated 4-27-50, addressed to Bob," and signed Marty," and containing, in the upper left hand corner, the notation, "From the desk of -- M. D. Avent," were received in evidence and marked Objectants' Exhibit 327, as of this date. |

[fol. 1779]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 328 | 1981 | | Copy of letter above referred to, submitted by Mr. Graubard, dated May 8, 1950, addressed to Mr. Young, unsigned, and containing, in the lower left hand corner, the initials "RWP/r," was received in evidence and marked Objectants' Exhibit 328, as of this date. |
| OBJ. 329 | 1982 | | Letter above referred to, on the letterhead of the Chesapeake & Ohio Railway Company, dated New York -- December 13, 1949, containing the notation, "Memorandum to: Mr. Robert W. Purcell," signed, in blank, "Robert R. Young," and containing, in the lower left hand corner, the typewritten notation "CC: Mr. Glover Johnson-- Mr. Charles Shipman," was received in evidence and marked Objectants' Exhibit 329, as of this date. |
| OBJ. 330 | 1986 | | Copy of memorandum above referred to, submitted by Mr. Graubard, dated February 3, 1950, addressed to Messrs. Young, Kirby, and Purcell (Copy to Mr. Anzalone), sent by Charles Shipman, and containing the notation, "Cost of Getting in Alleghany Shares on Tender," was received in evidence and marked Objectants' Exhibit 330, as of this date. |
| OBJ. 331 | 1986 | | Copy of memorandum above referred to, dated 2/22/50, to Robert R. Young and Robert W. Purcell, containing the notation, "Exchange of AAY-IDS Shares," was received in evidence and marked Objectants' Exhibit 331, as of this date. |
| OBJ. 332 | 1987 | | Carbon copy of document above referred to, submitted by Mr. Graubard, bearing in the upper left hand corner the notation, "RWP:MS No. 2 cc 1/24/50," consisting of three pages, was received in evidence and marked Objectants' Exhibit 332, as of this date. |
| OBJ. 333 | 1987 | | Letter above referred to, submitted by Mr. Graunard, on the letterhead of J. P. Morgan & Co. Incorporated, dated New York, April 19, 1950, addressed to J. J. Anzalone, Esq., vice president, secretary and comptroller, Alleghany Corporation, 3600 Terminal Tower, Cleveland 13, Ohio, signed by the assistant secretary of J. P. Morgan & Co. Incorporated, was received in evidence and marked Objectants' Exhibit 333, as of this date. |
| OBJ. 334 | 1988-9 | | Copies of documents above referred to, consisting of a memorandum to Mr. Robert R. Young, dated March 14, 1950, from J. J. Anzalone; a memorandum to Mr. James Draper, dated March 16, 1950, from J. J. Anzalone; together with memorandum to Mr. Allan P. Kirby, dated March 14, 1950, by J. J. Anzalone; together with copy of document entitled "Proxy Statement -- Alleghany Corporation -- Annual Meeting of Stockholders |

[fol. 1780]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 334 | 1988-9 CONT'D | | May 3, 1950, consisting of 16 pages, said exhibit containing 19 pages in all, were received in evidence and marked Objectants' Exhibit 334, as of this date. |
| OBJ. 335 | 1990 | | Copy of document above referred to, submitted by Mr. Graubard, dated February 10, 1950, addressed to Mr. Charles Shipman, was received in evidence and marked Objectants' Exhibit 335, as of this date. |
| OBJ. 336 | 1991 | | Copy of letter above referred to, dated February 16, 1950, addressed to Mr. Harold K. Bradford, vice president, Investors Diversified Services, Inc., Roanoke Building, Minneapolis, Minnesota, signed, in blank, "Charles Shipman," and containing, in the lower left hand corner, the notation, "cc Mr. Purcell"; together with carbon copy of page attached, with the number 7 at the top; together with memorandum slip of paper entitled "Memorandum from Charles Shipman," and containing, in ink, the following notation: "Mr. Purcell: for your information. CS -- 2/16/50," were received in evidence and marked Objectants' Exhibit 336, as of this date. |
| OBJ. 337 | 1991-2 | | Letter above referred to, submitted by Mr. Graubard, on the letterhead of securities and Exchange Commission, Washington, dated March 29, 1950, addressed to Mr. J. J. Anzalone, vice president Alleghany Corporation, 3600 Terminal Tower, Cleveland 13, Ohio, re: Alleghany Corporation -- File No. 11-999, consisting of three pages, signed by Byron D. Woodside as assistant director, Division of Corporation Finance, was received in evidence and marked Objectants' Exhibit 337, as of this date. |
| OBJ. 338 | 1992-3 | | Copy of letter referred to, submitted by Mr. Graubard, dated March 30, 1950, addressed to the Securities and Exchange Commission, 425-2nd Street, N. W. Washington, 23, D. C. re: Alleghany Corporation -- File No. 11-999, consisting of two pages, signed, in blank, "Alleghany Corporation by vice-president," and containing, in the lower left hand corner, the notation, "J. J. Anzalone," was received in evidence and marked Objectants' Exhibit 338, as of this date. |
| OBJ. 339 | 1997 | | Pages 36 to 38, 52 to 61, and page 129 of the minutes of annual meeting of stockholders of Alleghany Corporation held in Baltimore, Maryland, on March 3, 1950, submitted by Mr. Graubard, were received in evidence and marked Objectants' Exhibit 339, as of this date. |

[fol. 1781]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 340 | 1994-2000 | | Copy of document above referred to, submitted by Mr. Graubard, dated November 30, 1954, entitled, "Memorandum for Files--Murchison Brothers -- Investors Diversified Services, Inc. -- Additional Purchase of Common Stock," containing both the typewritten and pen and ink initials " W. E.S.," consisting of three pages, was received in evidence and marked Objectants' Exhibit 340, as of this date. [fol. 1782] |
| OBJ. 341 | 2002 | | Copy of document above referred to, submitted by Mr. Graubard entitled, "Memorandum for Mr. Stockhausen -- On the effect of a transfer of stock in Investors Diversified Services, Inc.," etcetera, consisting of 14 pages, containing the typewritten initials R.C.H. and the date December 10, 1954, on the last page, was marked Objectants' Exhibit 341 for identification, as of this date. |
| OBJ. 342 | 2003-4 | | Copy of document above referred to, submitted by Mr. Graubard, dated January 19, 1955, entitled, "Memorandum," consisting of five pages, was received in evidence and marked Objectants' Exhibit 342, as of this date. |
| OBJ. 343 | 2004 | | Document above referred to, submitted by Mr. Graubard, consisting of a letter on the letterhead of Wheeler & Wheeler, Washington 5, D.C., dated January 20, 1955, addressed to Mr. Robert R. Young, the Towers, Palm Beach, Florida, consisting of two pages, signed by Edward K. Wheeler; together with draft of letter dated 1/20/55, addressed to the Securities and Exchange Commission, Washington, D.C., consisting of two pages; together with memorandum slip of paper entitled, "Memorandum from Robert R. Young," dated January 21, 1955, addressed to Mr. David W. Wallace, were received in evidence and marked Objectants' Exhibit 343, as of this date. |
| OBJ. 344 | 2005 | | Mimeographed copy of document above referred to, submitted by Mr. Graubard, dated February 14, 1955, entitled, "Memorandum Subject: Proposed Transfer of Control of Investors Diversified Services, Inc.--Original Proposal," consisting of 11 pages, was received in evidence and marked Objectants Exhibit 344, as of this date. |
| OBJ. 345 | 2006 | | Letter above referred to, submitted by Mr. Graubard, on the letterhead of Satterlee, Warfield & Stephens, 49 Wall Street, New York 5, N.Y., dated January 26, 1955, addressed David W. Wallace, Esq., Alleghany Corporation, 4500 Crysler Building, New York 17, New York, signed by William E. Stockhause, was received in evidence and marked Objectants' Exhibit 345, as of this date. 1263 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 346 | 2007 | | Copy of affidavit of Donald H. Carter, above referred to, submitted by Mr. Graubard, dated February 15, 1955, consisting of five pages, stapled to a legal back, was received in evidence and marked Objectants' Exhibit 346, as of this date. |
| OBJ. 347 | 2007 | | Documents above referred to, submitted by Mr. Graubard, being a letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated March 12, 1955, addressed to Mr. David W. Wallace, secretary and treasurer, Alleghany Corporation, 4500 Chrysler Building, New York 17, New York, signed by Marguirita Hannon as secretary to Mr. McCartin; together with copy of letter dated March 12, 1955, addressed to Messrs. Lord, Day& Lord, 25 Broadway, New York 4, New York, attention: Mr. Thomas F. Daly, consisting of three pages, signed, in blank, "John W. McCartin," as general counsel, were received in evidence and marked Objectants' Exhibit 347, as of this date. |
| OBJ. 348 | 2009 | | Documents above referred to, submitted by Mr. Graubard, consisting of a copy of a letter on the stationery of Satterlee, Warfield & Stephens, 49 Wall Street, New York, New York, dated March 5, 1955, addressed to Peter L. Keane, Esq., Messrs. Lord, Day & Lord, 25 Broadway, New York, New York, re: Breswick versus Briggs, signed, in blank, "William E. Stockhausen," and containing, in the lower left hand corner the notation "CC: Mr. Wallace"; together with copy of a letter on the stationery of Satterlee, Warfield & Stephens, dated March blank, 1955, addressed to John W. McCartin, Esq., Investors Diversified Services, Inc., Investors Building, Minneapolis 2, Minnesota, consisting of four pages, signed, in blank, "Satterlee, Warfield & Stephens by," and containing in the lower left hand corner, the initials, "WES: es," were received in evidence and marked Objectants' Exhibit 348, as of this date. |
| OBJ. 349 | 2010 | | Copy of letter above referred to, submitted by Mr. Graubard, on the stationery of Satterlee, Warfield & Stephens, 49 Wall Street, New York 5, dated February 17, 1955, addressed to William H. Bowen, Esq., Investments Management Corporation, 1201 Main Street, Dallas, Texas, re: Murchison Brothers-Alleghany Corporation ("A-M Venture No. 9"), consisting of two pages, signed, in blank, "William E. Stockhausen," and containing, in the lower left hand corner the notation, "CC: David W. Wallace, Esq., John W. McCartin, Esq.," was received in evidence and marked Objectants' Exhibit 349, as of this date. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 350 | 2011 | | Copy of letter above referred to, submitted by Mr. Graubard, dated April 15, 1955, addressed to Mr. Robert W. Purcell, 800 Investors Building, Minneapolis, Minnesota, signed, in blank, "Alleghany Corporation by," and containing in the lower left hand corner, the initials "DWW: JB," was received in evidence and marked Objectants' Exhibit 350, as of this date. |
| OBJ. 351 | 2012 | | Copy of letter above referred to, submitted by Mr. Graubard, dated May 3, 1955, addressed to Murchison Brothers, 1201 Main Street, Dallas, Texas, attention of Mr. G. E. Shelton, signed, in blank, "Alleghany Corporation by," and containing in the lower left hand corner, the notation, "cc: Mr. Robert R. Young, Mr. William E. Stockhausen, Mr. Donald H. Carter; "together with copy of document entitled "Costs re exercise of option to purchase NYC RR Co. common stock from Murchison Brothers' portion of A-M Venture No. 9," and containing in the lower left hand corner, the notation, "File Copy -- Alleghany Corporation -- Return to Room 212," were received in evidence and marked Objectants' Exhibit 351, as of this date. |
| OBJ. 352 | 2013 | | Letter above referred to, submitted by Graubard, on the letterhead of Satterlee, Warfield & Stephens, dated December 24, 1953, addressed to Charles T. Ireland, Jr., Esq., Alleghany Corporation, 4500 Chrysler Building, re: Murchison Brothers (I.D.S. Stock Purchase), consisting of two pages, signed, "William E. Stockhausen," was received in evidence and marked Objectants' Exhibit 352, as of this date. |
| OBJ. 353 | 2014 | | Copy of letter above referred to, submitted by Mr. Graubard, dated January 4, 1954, entitled "To the directors of Alleghany Corporation," signed, in blank, "J.J. Anzalone," and containing, in the lower left hand corner, the notation, "cc: Mr. Charles T. Ireland, Jr.," was received in evidence and marked Objectants' Exhibit 353, as of this date. |
| 354 | 2019 | | Copy of letter above referred to, submitted by Mr. Graubard, dated May 7, 1951, addressed to Mr. Robert R. Young, consisting of two pages, the letter being unsigned, and containing, in the lower left hand corner, the initials, "rwp: JLO," with the further notation, "CC:Mr. Chas. Shipman," was received in evidence and marked Objectants' Exhibit 354, as of this date. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 355 | 2021 | | Copy of letter above referred to, dated September 6, 1950, submitted by Mr. Graubard, addressed to Mr. Robert R. Young, unsigned, was received in evidence and marked Objectants' Exhibit 355, as of this date. |
| OBJ. 356-A | 2026 | | File of exhibits above referred to, submitted by Mr. Graubard, were received in evidence and marked as Objectants' Exhibits as follows: Large manila envelope, entitled, "File of Alleghany Corporation entitled I.D.S. -- Crabb, E.E. president Miscellaneous correspondence -- P.K.T. 1A," was marked Exhibit 356-A. |
| OBJ. 356-B | 2026 | | Copy of letter dated May 5, 1949, addressed to Mr. E. E. Crabb, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner "M. Stivers," was marked Exhibit 356-B. |
| OBJ. 356-C | 2026-7 | | Copy of letter dated May 10, 1949, addressed to Mr. E. E. Crabb, containing in the lower left hand corner, the notation, "R.W. Purcell," was marked Exhibit 256-C. |
| OBJ. 356-D | 2027 | | Copy of letter dated May 23, 1949, addressed to Mr. E. E. Crabb, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the notation, "M. Stivers," was marked Exhibit 356-D. |
| OBJ. 356-E | 2027 | | Letter on the letterhead of Investors Syndicate, Minneapolis, dated June 9, 1949, addressed to Miss Margaret Stivers, signed by the secretary to Mr. Crabb, and containing, in the lower left hand corner, the notation, "E. Rupprecht," was marked Exhibit 356-E. |
| OBJ. 356-F | 2027 | | Copy of letter dated June 11, 1949, addressed to Mr. E.E. Crabb, signed in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the notation, FS Reiner," together with telegram attached, dated June 10, 1949, from Earl E. Crabb to Robert W. Purcell, were marked Exhibit 356-F. |
| OBJ. 356-G | 2027- | | Copy of letter dated June 17, 1949, addressed to Miss Ednamae Rupprecht, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the notation, "M. Stivers," was marked Exhibit 356-G. |
| OBJ. 356-H | 2028 | | Copy of letter dated June 20, 1949, addressed to Mr. E.E. Crabb, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the notation, "M. Stivers"; together with letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 17, 1949, addressed to Mr. R. W. Purcell, signed, "E.E. Crabb," were marked Exhibit 356-H. |

[fol. 1785]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ.356-I | 2028 | | Memo dated June 23, 1949, entitled,"Memo to: Mr. Purcell, Mr. Tuohy, Mr. Van Meter-- from: E. E. Crabb- subject: Annual Meetings," signed, "E.E.C." was marked Exhibit 356-I. |
| OBJ. 356-J | 2028 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 24, 1949, addressed to Miss Margaret Stivers, signed by Edname Rupprecht as secretary to Mr. Crabb, was marked Exhibit 356-J. [fol. 1786] |
| OBJ. 356-K | 2028 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated July 6, 1949, addressed to Mr. Robert W. Purcell, signed "Early E. Crabb, was marked Exhibit 356-K. |
| OBJ. 356-L | 2029 | | Copy of telegram dated New York July 12, 1949, to Mr. E. E. Crabb from R. W. Purcell, together with copy of telegram dated New York, July 12, 1949, from E. E. Crabb to R. W. Purcell, were marked Exhibit 356-L. |
| OBJ. 356-M | 2029 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated July 12, 1949, addressed to Mr. R. W. Purcell, signed by E.E. Crabb, was marked Exhibit 356-M. |
| OBJ. 356-N | 2029 | | Copy of letter dated July 13, 1949, addressed to Mr. E. E. Crabb, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the typewritten notation, "M. Stivers," was marked Exhibit 356-N. |
| OBJ. 356-O | 2029 | | Letter on the letterhead of Investors Diversified Services, Minneapolis, dated July 13, 1949, addressed to Mr. Robert W. Purcell by E.E. Crabb; together with copy of letter dated July 9, 1949, addressed to Mr. Earl Crabb, containing the typewritten notation, in the lower left hand corner, "R.W. Purcell," were marked Exhibit 356-O. |
| OBJ. 356-R | 2029-30 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated July 16, 1949, addressed to Robert W. Purcell, signed, "Earl," and containing the typewritten notation underneath, "E.E. Crabb"; together with memorandum slip of paper attached entitled "Summary," signed, in blank, "ms," were marked Exhibit 356-P. |
| OBJ. 356-Q | 2030 | | Copy of letter dated August 4, 1949, addressed to Mr. E.E. Crabb, signed, in blank, "Secretary to Mr. Purcell," and containing, in the lower left hand corner, the typewritten notation, "M. Stivers"; together with letter on the letterhead of Investors Mutual, Inc., Minneapolis, dated August 2, 1949, addressed to Mr. R. W. Purcell, consisting of two pages, signed in blank, "president," and containing, in the lower left hand corner, the initials "E.E.C.," were marked Exhibit 356-Q. 1267 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 356-R | 2030-1 | | Copy of letter dated August 10, 1949, addressed to Dear Earl, and containing, in the lower left hand corner, the typewritten notation, "Mr. E.E. Crabb, president, Investors Diversified Services, Inc., 200 Roanoke Building, Minneapolis, Minnesota," was marked Exhibit 356-R. |
| OBJ. 356-S | 2031 | | Copy of letter dated September 15, 1949, addressed to Mr. E. E. Crabb, unsigned, containing in the lower left hand corner the typewritten notation, "R.W. Purcell," was marked Exhibit 356-T. |
| OBJ. 356-U | 2031 | | Photostatic copy of telegram dated New York September 15, 1949, from R. W. Purcell to E.E. Crabb, was marked Exhibit 356-U. |
| OBJ. 356-V | 2031 | | Copy of letter dated September 16, 1949, addressed to Mr. E.E. Crabb, unsigned, containing in the lower left hand corner the typewritten initials RWP; together with memorandum slip of paper attached, signed with the initials "fr," were marked Exhibit 356-V. |
| OBJ. 356-W | 2031-32 | | Copy of telegram dated September 31, 1949, addressed to Mr. E.E. Crabb by Margaret Stivers, was marked Exhibit 356-W. |
| OBJ. 356-X | 2032 | | Letter on the letterhead of Investors Diversified Services, Inc. Mineapolis, dated September 22, 1949, addressed to Dear Bob, signed, "Earl," and containing underneath the typewritten notation "E.E. Crabb," and further containing, in the lower left hand corner, the typewritten notation, "Mr. Robert W. Purcell, 4500 Chrysler Building, New York, New York, was marked Exhibit 356-X. |
| OBJ. 356-Y | 2032 | | Telegram dated September blank 1949, sent by Ednamae Ruprecht to Miss Margaret Stivers, was marked Exhibit 356-Y. |
| OBJ. 356-Z | 2032 | | Copy of letter dated October 10, 1949, addressed to Mr. E. E. Crabb, unsigned, containing, in the lower left corner, the typewritten notation, "RWP:MS," was marked Exhibit 356-Z. |
| OBJ. 356-AA | 2032 | | Reproduced copy of telegram from Earl E. Crabb to Robert W. Purcell, containing the pen and ink notation in the lower right hand corner, "R.W.P. answered from Washington 10/11/49 in affirmative -- (S)" was marked Exhibit 356-AA. |
| OBJ. 356-BB | 2033 | | Copy of document dated October 14, 1949, entitled, "Memorandum to: R.W. Purcell -- from: E.E. Crabb -- Subject: Should the Investment Securities Department of Investors Diversified Services be Transferred to New York City, consisting of four pages, signed, in blank, "Earl E. Crabb," was marked Exhibit 356-BB. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 356-CC | 2033-34 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated October 18, 1949, entitled, Memorandum to: The Directors of I.D.S., signed, "E.E. C." and containing underneath the typewritten notation, "E.E. Crabb"; together with document attached, dated October 13, 1949, entitled "Memorandum: To E.E. Crabb -- Re: Pension Fund for the Episocal Church of the U.S.", consisting of five pages, signed, in blank, "Clyde J. Moore"; together with reproduced copy of document entitled "Text of Address Delivered to the General Assembly of the International General Convention of the Protestant Episcopal Church, by Clyde Moore," consisting of seven pages, were marked Exhibit 356-CC. |
| OBJ. 356-DD | 2034 | | Document on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated October 19, 1949, entitled, "Memorandum to: Division Heads," signed, in blank, "E.E. Crabb," was marked Exhibit 356-DD. |
| OBJ. 356-EE | 2034 | | Letter on the stationery of Earl E. Crabb, dated October 19, 1949, addressed to Dear Bob, signed, "Earl E. Crabb," and containing, in the lower left hand corner, the typewritten notation, "Mr. Robert W. Purcell, 3600 Terminal Tower, Cleveland, Ohio," was marked Exhibit 356-EE. |
| OBJ. 356-FF | 2034 | | Copy of document on the stationery of Investors Diversified Services, Inc., Minneapolis, dated October 21, 1949, entitled, "To: The Directors of I.D.S. -- from: E.E. Crabb -- Subject: Employees Compensation and Other Rewards," consisting of three pages, signed, "E.E. C." and containing underneath the typewritten notation, "Earl E. Crabb," was marked Exhibit 356-FF. [fol. 1788] |
| OBJ. 356-GG | 2034-35 | | Copy of letter dated November 7, 1949, addressed to Mr. Earl E. Crabb, president, Minneapolis offices, unsigned, containing, in the lower hand corner, the typewritten notation "Copies to Messrs. R. W. Purcell, C. Shipman, J. F. Tuchy," was marked Exhibit 356-GG. |
| OBJ. 356-HH | 2035 | | Copy of telegram dated November 8, 1949, from Robert W. Purcell to Mr. E.E. Crabb, was marked Exhibit 356-HH. |
| OBJ. 356-II | 2035 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated November 8, 1949, addressed to Mr. R. W. Purcell and Mr. Galen Van Meter, consisting of two pages, signed, E.E.C." and containing underneath the typewritten notation, "E.E. Crabb," was marked Exhibit 356-II. 1269 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 356-JJ | 2035 | | Copy of letter dated November 9, 1949, addressed to Mr. Earl E. Crabb, president, Investors Diversified Services, Inc., unsigned, containing, in typewritten form, in the lower left hand corner, the notation, "Galen Van Meter -- Copy to Mr. R. W. Purcell," was marked Exhibit 356-JJ. |
| OBJ. 356-KK | 2035-36 | | Copy of letter dated November 18, 1949, addressed to Mr. E.E. Crabb, unsigned, containing, in the lower left hand corner, the typewritten was marked Exhibit 356-KK. |
| OBJ. 356-LL | 2036 | | Copy of letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated November 25, 1949, addressed to Mr. Galen Van Meter by Mr. E.E. Crabb, containing, in the lower left hand corner, the typewritten notation, "CC: R.W. Purcell, James Tuchy," was marked Exhibit 356-LL. |
| OBJ. 356-MM | 2036 | | Copy of memorandum dated November 28, 1949, signed, "E.E.C.," and containing underneath the typewritten notation, "E.E. Crabb", with the further notation in the lower left hand corner, "CC: R.W. Purcell," was marked Exhibit 356-MM. |
| OBJ. 356-NN | 2036 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated December 7, 1949, addressed to Dear Frances, signed, "Ednamae," was marked Exhibit 356-NN. |
| OBJ. 356-OO | 2036 | | Copy of telegram dated December 9, 1949, from Robert W. Purcell to Mr. E.E. Crabb, was marked Exhibit 356-OO. |
| OBJ. 356-PP | 2036-37 | | Copy of document dated December 9, 1949, entitled, "Memorandum to: E.E. Crabb -- Subject: Graduated Leading Charges on the Funds -- from: H.K. Bradford," was marked Exhibit 356-PP. [fol. 1789] |
| OBJ. 356-QQ | 2037 | | Copy of telegram addressed to NY CANDO GA PLS from INV DIV SERV MP: together with telegram dated December 12, 1949, from R.W. Purcell to M. E.E. Crabb, were marked Exhibit 356-QQ. |
| OBJ. 356-RR | 2037 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated December 13, 1949, addressed to Mr. R. W. Purcell, signed, "Earl," and containing, in the lower left hand corner, the typewritten notation, "EEC: EMM," was marked Exhibit 356-RR. |
| OBJ. 356-SS | 2037 | | Copy of telegram dated January 16, 1950, from Margaret Stivers to Mrs. Ednamae Ruprecht, was marked Exhibit 356-SS. |
| OBJ. 356-TT | 2037 | | Copy of memo dated January 18, 1950, entitled, "Memo to: H.K. Bradford, Grady Clark, W. I. Norton, signed, "E.E.C.," and containing underneath it the typewritten notation, "E.E. Crabb," and containing, in the lower left hand corner, the typewritten notation: "C.C. R.W. Purcell, Clyde J. Moore, R. W. Peterson," was marked Exhibit 356-TT. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 356-UU | 2038 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated January 24, 1950, addressed to Mr. R. W. Purcell, consisting of two pages, signed, "Earl," and containing underneath, in typewritten form, "E.E. Crabb," was marked Exhibit 356-UU. |
| OBJ. 356-VV | 2038 | | Copy of letter dated January 26, 1950, entitled, "Memorandum to Mr. E.E. Crabb," signed, in blank, "J.J. Anzalone," was marked Exhibit 356-VV. |
| OBJ. 356-WW | 2038 | | Copy of document entitled "Teletype," dated January 27, 1950, addressed to Mrs. Ednamae Ruprecht, Investors Diversified Services, Inc., sent by Frances Reiner, was marked Exhibit 356-WW. |
| OBJ. 356-XX | 2038 | | Document on the stationery of Inestors Diversified Services, Inc., Minneapolis, dated January 30, 1950, entitled, "To: Board of Directors Investors Diversified Services, Inc., consisting of three pages, signed, in blank, "E.E. Crabb, president," was marked Exhibit 356-XX. |
| OBJ. 356-YY | 2038 | | Copy of letter dated February 20, 1950, addressed to Mr. E. E. Crabb, unsigned, containing, in the lower left hand corner, the typewritten notation "rwp: ms," was marked Exhibit 356-YY. |
| OBJ. 356-ZZ | 2039 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated March 3, 1950, addressed to Mr. Robert W. Purcell by Earl E. Crabb, was marked Exhibit 356-ZZ. |
| OBJ. 356-AAA | 2039 | | Copy of letter dated April 20, 1950, addressed to Mr. Earl E. Crabb, president Investors Diversified Services, Inc., signed, in blank, "Vice President," and containing in the lower left hand corner, the typewritten notation, "J.J. Anzalone," was marked Exhibit 356-AAA. |
| OBJ. 356-BBB | 2039 | | Telegram dated March 7, 1950, from E.E. Crabb to Mrs. J.J. Anzalone, together with memorandum slip of paper containing the typed notation, "Advised Mr. Crabb unable to go to Florida. J.J.A.," were marked Exhibit 356-BBB. |
| OBJ. 356-CCC | 2039 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated May 4, 1950, addressed to Mr. Robert W. Purcell, consisting of two pages, signed, "Earl," and containing underneath the typewritten signature, "Earl E. Crabb," was marked Exhibit 356-CCC. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| OBJ. 356-DDD | 2039-2040 | | Copy of letter dated May 10, 1950, addressed to Dear Earl, unsigned, containing, in the lower left hand corner, the typewritten initials "RWP," and underneath the typewritten notation, "Mr. Earl E. Crabb, Investors Diversified Services, Inc.", together with letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated May 5, 1950, addressed to Mr. Robert W. Purcell by Earl E. Crabb, were marked Exhibit 356-DDD. |
| OBJ. 356-EEE | 2040 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated May 23, 1950, addressed to Mr. Robert W. Purcell by Earl E. Crabb; together with affidavit of Eugene W. Hall, consisting of two pages, were marked Exhibit 356-EEE. |
| OBJ. 356-FFF | 2040 | | Copy of letter dated May 6, 1950, addressed to Dear Earl, unsigned, containing, in the lower left hand corner, the typewritten initials "RWP," and containing underneath the typewritten notation, "Mr. Earl E. Crabb, 200 Roanoke Building, Minneapolis, Minnesota, was marked Exhibit 356-FFF. |
| OBJ. 356-GGG | 2040-41 | | Copy of letter dated May 26, 1950, addressed to Mr. E.E. Crabb, unsigned, containing in the lower left hand corner the typewritten notation "rwp:ms," was marked Exhibit 356-GGG. |
| OBJ. 356-HHH | 2041 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 15, 1950, addressed to Mr. Robert W. Purcell by E.E. Crabb, was marked Exhibit 356-HHH. |
| OBJ. 356-III | 2041 | | Copy of letter dated June 16, 1950, addressed to Mr. E. E. Crabb, unsigned, containing in the lower left hand corner the typewritten initials, "RWP;ms," was marked Exhibit 356-III. |
| OBJ. 356-JJJ | 2041 | | Copy of letter dated June 19, 1950, addressed to Mrs. Ednamae Ruprecht, secretary, Investors Diversified Services, Inc., signed, in blank, "Secretary to Mr. Anzalone"; together with letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 16, 1950, addressed to Miss Coletta Wagner, signed, "Ednamae," and containing underneath the typewritten notation, "Secretary to Mr. Crabb," were marked Exhibit 356-JJJ. |
| OBJ. 356-KKK | 2041-42 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 21, 1950, addressed to Mr. Robert W. Purcell by E.E. Crabb, was marked Exhibit 356-KKK. |
| OBJ. 356-LLL | 2042 | | Document on the stationery of Investors Diversified Services, Inc., Minneapolis, dated June 26, 1950, entitled, "Memo to: R. W. Purcell, J. J. Anzalone," signed, "Earl," and containing underneath the typewritten notation, "E.E. Crabb," was marked Exhibit 356-LLL. |

[fol. 1791]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 356-MMM | 2042 | 11/17/55 | Copy of document dated June 30, 1950, entitled, "Memorandum to: H. K. Bradford, Grady Clark, E. F. Hatch, Galen Van Meter," consisting of two pages, signed, "E.E.C." and containing underneath the typewritten signature "E.E. Crabb," and containing in the lower left hand corner the typewritten notation, "CC: RWPurcell." |
| 356-NNN | 2042 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated July 7, 1950, addressed to Miss Margaret Stivers, signed, "Ednamae," and containing in the lower left hand corner the typewritten notation, "E.Ruprecht"; together with copy of letter attached, dated July 5, 1950, addressed to Mrs. Ednamae Ruprecht, unsigned, and containing, in the lower left hand corner, the typewritten notation, "M.Stivers". |
| 356-OOO | 2043 | | Document on the stationery of Investors Diversified Services, Inc., Minneapolis, Minnesota, dated July 10, 1950, entitled, "Memorandum to: Board of Directors, I.D.S. -- CC: H. K. Bradford, C. J. Moore, W. I. Norton, consisting of two pages, signed, "Earl C.," and containing underneath the typewritten signature "E.E. Crabb." |
| 356-PPP | 2043 | | Letter dated July 11, 1950, addressed to Miss M. Stivers, signed, "Arthur J. Baker". |
| 356-QQQ | 2043 | | Copy of letter dated July 22, 1950, addressed to Mr. Earl E. Crabb, president, Investors Diversified Services, Inc., signed, R. Y." and containing in the lower left hand corner the typewritten notation, "CC: Mr. Robert W. Purcell". |
| 356-RRR | 2043 | | Copy of document dated July 21, 1950, entitled, "Memorandum to: E.E. Crabb -- Subject: Estimated Cash Receipts and Disbursements for Third Quarter," consisting of two pages, signed, in blank, "J. B. Racey". |
| 356-SSS | 2044 | | Copy of letter dated August 3, 1950, addressed to Mrs. Ednamae Ruprecht, Investors Diversified Services, Inc., unsigned; together with copy of letter dated August 2, 1950, addressed to Mr. Ed Bang, the Cleveland News, Cleveland, Ohio, unsigned, containing in the lower left hand corner the typewritten notation, "rwp;ms". |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 356-TTT | 2044 | 11/17/55 (cont'd) | Document on the stationery of Investors Diversified Services, Inc., Minneapolis, dated August 10, 1950, entitled, "To Directors, Investors Diversified Services, Inc., consisting of two pages, signed, "E.E.C." and containing underneath the typewritten signature, "E.E. Crabb;" together with two-page document attached, entitled, "Investors Diversified Services, Inc., and Investors Syndicate of America, -- A Comparison of the Actual Cash Receipt and Disbursement Transactions to the Estimated Cash Receipts and Disbursements from January 1, 1950 through July 31, 1950". |
| 356-UUU | 2045 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated September 13, 1950, addressed to Mr. R. W. Purcell, signed, "Earl," and containing underneath the typewritten signature "Earl E. Crabb." |
| 356-VVV | 2045 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated October 17, 1950, addressed to Mr. Robert W. Purcell, signed, "Earl," and containing underneath the typewritten signature "E.E. Crabb". |
| 356-WWW | 2045 | | Copy of memorandum slip of paper dated October 18. 1950, entitled, "Memorandum to Mr. E. Crabb," signed, in blank, "J. J. Anzalone". |
| 356-XXX | 2045 | | Document on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated November 6, 1950, entitled, "Memorandum to: R. W. Purcell, Galen Van Meter," signed, "E.E.C.," and containing underneath the typewritten signature, "E. E. Crabb;" together with ribbon copy of letter headed The Anglo California National Bank -- Oakland 12, California," dated October 31, 1950, addressed to Dear Mr. Crabb, signed, in blank, George M. Keffler," as vice president and manager. |
| 356-YYY | 2046 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated November 14, 1950, addressed to R. W. Purcell, consisting of two pages, signed, "Earl," and containing underneath the typewritten signature, "Earl E. Crabb". |
| 356-ZZZ | 2046 | | Copy of letter dated November 16, 1950, addressed to Mr. E.E. Crabb, Minneapolis office, unsigned, containing, in the left hand corner, the typewritten notation, "Galen Van Meter:h -- cc -- Mr. R. W. Purcell". |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 356-AAAA | 2046 | 11/17/55 | Copy of document on the letterhead of Investors Diversified Services, Inc., dated November 17, 1950, entitled, "Memorandum to: Galen Van Meter -- c.c. R. W. Purcell," consisting of three pages, signed, "E.E.C.," and containing underneath the typewritten signature "E.E. Crabb". |
| 356-BBBB | 2047 | | Copy of memorandum dated December 29, 1950, entitled, "To: Mr. Earl E. Crabb, Mr. Robert W. Purcell -- From: Galen Van Meter -- Subject: Schedule," signed with the typewritten initials, "G. V. M.". |
| 356-CCCC | 2047 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated January 5, 1951, addressed to Mr. R. W. Purcell, consisting of three pages, signed, "E.E. Crabb -- M.B.," and containing underneath the typewritten signature, "E.E. Crabb". |
| 356-DDDD | 2047 | | Copy of letter dated January 18, 1951, addressed to Mr. E. E. Crabb, president Investors Diversified Services, Inc., unsigned, containing in the lower left hand corner, the typewritten notation, "rwp:jlo". |
| 356-EEEE | 2047 | | Copy of letter dated January 29, 1951, addressed to Mr. E. E. Crabb, unsigned, containing, in the lower left hand corner, the typewritten initials, "rwp;ms". |
| 356-FFFF | 2048 | | Copy of letter dated January 29, 1951, addressed to Mr. E. E. Crabb, unsigned, containing, in the lower left hand corner, the typewritten notation, "rwp;ms -- cc Senator Bulkley; together with copy of document entitled, "Investors Mutual, Inc. -- Cash Receipts and Disbursements -- Calendar Years 1950 and 1949". |
| 356-GGGG | 2048 | | Copy of letter dated March 5, 1951, addressed to Mr. E. E. Crabb, president, Investors Diversified Services, Inc., signed, "R. P. Y." and containing, in the lower left hand corner, the typewritten notation, "RRY:FMC -- cc: Mr. R.W. Purcell, Mr. Galen Van Meter, Mr. Harry Thompson". |
| 356-HHHH | 2048 | | Letter on the letter head of Investors Diversified Services, Inc., Minneapolis, dated March 5, 1951, entitled, "Memo to: Mr. Purcell, Mr. Van Meter, Mr. Clark," consisting of two pages, signed, "E.E.C.," and containing, underneath, the typewritten signature, "E.E. Crabb". |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 356-IIII | 2048 | 11/17/55 (cont'd) | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated March 14, 1951, addressed to Mr. Robert W. Purcell, signed, "Earl." |
| 356-JJJJ | 2049 | | Copy of letter dated March 16, 1951, addressed to Mr. E. E. Crabb, president, Investors Diversified Services, Inc., unsigned, and containing, in the lower left hand corner, the typewritten initials, "rwp:jlo". |
| 356-KKKK | 2049 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated March 21, 1951, addressed to Mr. R. W. Purcell, signed, "Earl", and containing underneath the typewritten signature, "E.E. Crabb". |
| 356-LLLL | 2049 | | Copy of letter dated May 4, 1951, addressed to Mrs. Ednamae Ruprecht, unsigned, containing, in the lower left hand corner, in typewritten form, "M. Stivers". |
| 356-MMMM | 2049 | | Copy of letter dated May 9, 1951, addressed to Mr. E. E. Crabb, and Mr. Galen Van Meter, unsigned, containing in the lower left hand corner the typewritten initials, "rwp;ms"; together with copy of document entitled "Operation Policy -- I.D.S. and I.S.A.", consisting of three pages. |
| 356-NNNN | 2050 | | Copy of letter dated May 21, 1951, addressed to Mr. E. E. Crabb, Investors Diversified Services, Inc., signed, in blank, "R. W. Purcell"; together with document dated May 17, 1951, entitled, "Memo to: R. W. Purcell, Galen Van Meter," signed, "E. E. C.," and containing the typewritten signature, "E.E. Crabb," underneath, with the further notation in the lower left hand corner, in typewritten form, "C.C. Harry Thompason". |
| 356-OOOO | 2050 | | Copy of letter dated May 21, 1951, addressed to Mr. E. E. Crabb, Investors Diversified Services, Inc., signed, in blank, "R. W. Purcell", and containing in the left hand corner the typewritten notation, "CC: Mr. Galen Van Meter, Mr. Grady Clark"; together with document entitled "Memorandum to: R. W. Purcell, Galen Van Meter, Grady Clark, -- Subject: Maturing Series F. Certificates Experience as to Continuance," consisting of five pages, signed, "E.E.C." and containing underneath the typewritten signature "E.E. Crabb," and dated in the lower left hand corner, "May 17, 1951". |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 356-PPPP | 2051 | 11/17/55 (cont'd) | Copy of letter dated May 28, 1951, addressed to Mr. E. E. Crabb, Investors Diversified Services, Inc., signed, in blank, "Martin D. Avent -- Special Ass't to Mr. Purcell". |
| 356-QQQQ | 2051 | _ | Letter on the stationery of Robert W. Purcell, 4500 Chrysler Building, New York 17, New York, dated January 30, 1952, addressed to Mr. J. J. Anzalone, signed, "Bob". |
| 356-RRRR | 2051 | | Copy of letter dated July 17, 1952, addressed to Mr. Earl E. Crabb, president, Investors Diversified Services, Inc., signed, in blank, "Alleghany Corporation by vice president", and containing, in the lower left hand corner, the typewritten notation, "J. J. Anzalone". |
| 357 | 2052 | | Document on the letterhead of Investors Diversified Services, Inc., Minneapolis, Minnesota, dated February 8, 1950, entitled, "Memorandum -- to: N. B. Waag -- CC H. K. Bradford, C. J. Moore, R. W. Purcell," signed, E. E. C. and containing underneath the typewritten signature, "E.E. Crabb", was received in evidence and marked Objectants' Exhibit 357. |
| 358 | 2053 | | Letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated May 12, 1950, addressed to Mr. R. W. Purcell, signed, "Earl," and containing the typewritten signature underneath, "Earl E. Crabb," which exhibit was submitted by Mr. Graubard, was received in evidence and marked Objectants' Exhibit 358. |
| 359 | 2054 | | Documents submitted by Mr. Graubard, being a copy of a letter dated June 26, 1950, addressed to Mr. E. E. Crabb, Investors Diversified Services, Inc., unsigned, containing, in the lower left hand corner, the typewritten initials, "rwp"; together with a letter on the letterhead of Investors Diversified Services, Inc., Minneapolis, dated June 23, 1950, addressed to Mr. Robert W. Purcell, signed, "Earl," and containing underneath the typewritten signature, "E.E. Crabb;" together with ribbon copy of document dated June 22, 1950, entitled, "Memo to: E.E. Crabb," signed, in blank, "N. B. Waag", were received in evidence and marked Objectants' Exhibits 359. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 360 | 2057 | 11/17/55 (cont'd) | Document entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- May 27, 1955," submitted by Mr. Graubard, was received in evidence and marked Objectants' Exhibit 360. |
| 361 | 2082 | 11/21/55 | Opinion of the three-judge court, entitled, "Proof of November 18, 1955 -- United States District Court, Southern District of New York -- Breswick & Co. and Randolph Phillips, as common stockholders of Alleghany Corporation, plaintiffs, v. United States of America, the Interstate Commerce Commission, Alleghany Corporation, the New York Central Railroad Company, Joseph R. Gruss, Charles H. Blatt, Albert Cohen, Arthur A. Winner and Alvin J. Delaire, a co-partnership, doing business as Gruss & Co. and Samuel A. Mehlman, defendants," consisting of 24 pages, submitted by Mr. Daly, was received in evidence and marked Defendants' Exhibit 361. |
| 362 | 2083 | | Document submitted by Mr. Daly, entitled, "Alleghany Corporation -- Interim Financial Report for the Period January 1, to September 30, 1955," was received in evidence and marked Defendants' Exhibit 362. |
| 363-A and B | 2084 | | Documents submitted by Mr. Wallace, the first being a 25-page document entitled, "Special Report on Investors Syndicate, Inc. -- (Subsidiary and controlled companies) -- prepared especially for: Robert R. Young, Esquire, New York City, by Saunders, Stiver & Co. -- January 10, 1949"; together with letter attached, on the letterhead of Saunders, Stiver & Co., Investment Securities, Member Cleveland Stock Exchange, dated January 11, 1949, addressed to Mr. Robert R. Young, the Towers, North County Road, Palm Beach, Florida, signed, "A. J. Stiver," were received in evidence and marked Defendants' Exhibits 363-A and B. |
| 364-A | 2086 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolution of Executive Committee, Board of Directors of Alleghany Corporation -- August 28, 1951," was received in evidence and marked Defendants' Exhibit 364-A. |
| 364-B | 2086 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolution of Executive Committee of Board of Directors of Alleghany Corporation -- June 27, 1951," was received in evidence and marked Defendants' Exhibit 364-B. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 364-C | 2086 | 11/21/55 (cont'd) | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- March 15, 1950", consisting of two pages, was received in evidence and marked Defendants' Exhibit 364-C. |
| 364-D | 2086 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- January 21, 1950," was received in evidence, marked Defendants' Exhibit 364-D. |
| 364-E | 2087 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- January 13, 1950," was received in evidence and marked Defendants' Exhibit 364-E. |
| 364-F | 2087 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- December 15, 1949," consisting of three pages, was received in evidence and marked Defendants' Exhibit 364-F. |
| 364-G | 2087 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- May 19, 1949," was received in evidence and marked Defendants' Exhibit 364-G. |
| 364-H | 2088 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- May 6, 1949," consisting of two pages, was received in evidence and marked Defendants' Exhibit 364-H. |
| 364-I | 2088 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- April 11, 1949," was received in evidence and marked Defendants' Exhibit 364-I. |
| 365-A | 2089 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of the Board of Directors of Alleghany Corporation -- April 28, 1949," was received in evidence and marked Defendants' Exhibit 365-A. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 365-B | 2089 | 11/21/55 (cont'd) | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- April 27, 1949," was received in evidence and marked Defendants' Exhibit 365-B. |
| 365-C | 2089 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- April 4, 1949," was received in evidence and marked Defendants' Exhibit 365-C. |
| 366-A | 2090 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- July 28, 1949," was received in evidence and marked Defendants' Exhibit 366-A. |
| 366-B | 2091 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- November 2, 1949," was received in evidence and marked Defendants' Exhibit 366-B. |
| 367-A | 2092 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on April 21, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 367-A. |
| 367-B | 2092 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on May 17, 1949, above referred to, submitted by Mr. Daly, consisting of three pages, was received in evidence and marked Defendants' Exhibit 367-B. |
| 367-C | 2092 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on August 16, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 367-C. |
| 367-D | 2093 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on September 15, 1949, submitted by Mr. Daly, consisting of six pages, was received in evidence and marked Defendants' Exhibit 367-D. |
| 367-E | 2093 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on December 6, 1949, submitted by Mr. Daly, consisting of four pages, was received in evidence and marked Defendants' Exhibit 367-E. |

[fol. 1799]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 367-F | 2093 | 11/21/55 (cont'd) | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on December 6, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 367-F. |
| 367-G | 2093 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on December 6, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 367-G. |
| 367-H | 2094 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on May 18, 1950, submitted by Mr. Daly, consisting of three pages, was received in evidence and marked Defendants' Exhibit 367-H. |
| 367-I | 2094 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on October 17, 1950, submitted by Mr. Daly, consisting of four pages, was received in evidence and marked Defendants' Exhibit 367-I. |
| 367-J | 2094 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on May 22, 1952, submitted by Mr. Daly, consisting of two pages, was received and marked in evidence Defendants' Exhibit 367-J. |
| 367-K | 2094 | | Certified copy of minutes of Board of Directors of Alleghany Corporation, held on August 21, 1952, submitted by Mr. Daly, consisting of four pages, was received in evidence and marked Defendants' Exhibit 367-K. |
| 367-L | 2095 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on March 16, 1953, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 367-L. |
| 367-M | 2095 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on August 18, 1953, submitted by Mr. Daly, consisting of four pages, was received in evidence and marked Defendants' Exhibit 367-M. |
| 368-A | 2096 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on March 2, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 368-A. |

[fol. 1800]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 368-B | 2096 | 11/21/55 (cont'd) | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on March 24, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 368-B. |
| 368-C | 2096 | | Certified copy of minutes of the Board of Directors of Alleghany Corporation, held on April 21, 1949, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 368-C. |
| 369 | 2141 | | Reproduced copy of document submitted by Mr. Daly, entitled, "Minutes of Meeting of the Board of Directors of Alleghany Corporation", dated New York, N.Y., September 13, 1955, was received in evidence and marked Defendants' Exhibit 369. |
| 370 | 2154 | | Certified copy of the minutes of the Board of Directors of Alleghany Corporation, held on March 1, 1955, submitted by Mr. Daly, consisting of two pages, was received in evidence and marked Defendants' Exhibit 370. |
| 371 | 2215 | 11/23/55 | Documents submitted by Mr. Graubard, consisting of a letterhead of Wheeler & Wheeler, dated July 9, 1954, addressed to Mr. Charles T. Ireland, Jr., consisting of two pages, signed, in blank, "Edward K. Wheeler"; together with memorandum attached, dated August 16, 1954, addressed to Mr. David W. Wallace, consisting of two pages, signed, in blank, "John F. Condon," were received in evidence and marked Objectants' Exhibit 371. |
| 372 | 2218 | | Copy of two-page letter above referred to, submitted by Mr. Graubard, on the stationery of the New York Central System, dated October 5, 1954, addressed to Edward K. Wheeler, Esq., Wheeler & Wheeler, Washington 5, D. C., consisting of two pages, signed, in blank, "Jerry," and containing, in the lower left hand corner, the notation, in typewritten form, "bc-Mr. R.R. Young -- bbc -- Messrs. McLean, Wallace," was marked Objectants' Exhibit 372 for identification. |

[fol. 1801]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 373 | 2222 | 11/23/55 | Documents above referred to, submitted by Mr. Graubard, the first being a copy of a letter on the stationery of the New York Central System, dated November 8, 1954, addressed to Edward K. Wheeler, Esq., Wheeler & Wheeler, Washington 5, D.C., signed, "H.H. McLean"; together with mimeographed copy of resolution entitled, "The Cleveland, Cincinnati, Chicago & St. Louis Railway Company stockholders' annual meeting, Wednesday, October 27, 1954," signed, in blank, "Charles T. Ireland, Jr." and containing, in the lower left hand corner, the notation, "(Corporate Seal)"; together with mimeographed copy of resolution entitled "Louisville and Jeffersonville Bridge and Railroad Company Stockholders' Special Meeting, Friday, November 5, 1954," signed, in blank, "Charles T. Ireland, Jr.," and containing in the lower left hand corner, the notation, "(Corporate Seal)," were marked Objectants' Exhibit 373 for identification, as of this date. |
| 374 | 2225 | | Document above referred to, submitted by Mr. Graubard, consisting of a pencilled notation containing the printed name "G.W. Glenn" at the top, addressed to "Dave," and signed with the initials G.W.G.; together with letter on the letterhead of Rosston, Hart & Brussell, dated March 1, 1955, addressed to Mr. Alfred E. Perlman, president, New York Central Railroad, signed, "George Brussel, Jr.,"; together with sealed envelope of Rosston, Hart & Brussell, addressed to Mr. Daniel M. Taylor, c/o Mr. Alfred E. Perlman, president, New York Central Railroad Company; together with sealed envelope of Rosston, Hart & Brussell, addressed to Mr. Eugene C. Pulliam, c/o Mr. Alfred E. Perlman, president New York Central Railroad; together with sealed envelope of Rosston, Hart & Brussell addressed to Mr. Frederick Lewisohn, c/o Mr. Alfred E. Perlman, president, New York Central Railroad Company, were marked Objectants' Exhibit 374, for identification, as of this date. [fol. 1802] |
| 375 | 2229 | | Letter above referred to, submitted by Mr. Graubard, on the stationery of Wheeler & Wheeler, Washington 5, D. C., dated June 21, 1955, addressed to Mr. David Wallace, 230 Park Avenue, New York 17, N. Y., signed, "Ed," and containing also the typewritten notation "Wheeler & Wheeler by Edward K. Wheeler," together with the pen and ink notation, in the lower left hand corner, "Don't forget to sign," was marked Objectants' Exhibit 375 for identification, as of this date. 1283 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 376 | 2246 | 11/23/55 | 19 pages extracted from the Alleghany Corporation special meeting of stockholders held in Baltimore, Maryland, on February 18, 1955, above referred to, submitted by Mr. Graubard, being pages 44 and 45, 49 through 53, 55 through 60, 64 through 66, 83, 102 and 103, were received in evidence and deemed marked Objectants' Exhibit 376, as of this date. |
| 377 | 2249 | | Two letters above referred to, submitted by Mr. Graubard, the first being a letter on the letterhead of White & Case, 14 Wall Street, New York 5, N. Y., dated January 19, 1955, entitled "Re Alleghany Corporation -- Exchange Offer for Series A Preferred Stock," addressed to Mr. David W. Wallace, Secretary-Treasurer Alleghany Corporation, signed, "Andrew O. Miller, Jr.,"; together with photocopy of letter attached, on the letterhead of the Securities and Exchange Commission, Washington 25, D.C., dated January 18, 1955, addressed to White & Case, re: Alleghany Corporation -- File No. 1-2644, signed, "Harvey A. Thoson" as assistant director, Division of Corporation Finance, were received in evidence and marked Objectants' Exhibit 377, as of this date. |
| 378 | 2251 | | Reproduced copy of letter above referred to, submitted by Mr. Graubard, on the letterhead of the Securities and Exchange Commission, Washington 25, D. C., dated February 7, 1955, addressed to White & Case, 14 Wall Street, New York 5, N. Y., re: Alleghany Corporation file No. 132-3, consisting of two pages, signed, "Harvey A. Thorson" as assistant director, Divisio of Corporation Finance, was received in evidence and marked Objectants' Exhibit 378, as of this date. [fol. 1803] |
| 379 | 2256 | | "Securities issued by Alleghany Corporation are exempt from registration under Section 3(a)(6)of the Securities Act of 1933, and the Corporation does not come within the definition of an investment company as defined in Section 3(c) (9) of the Investment Company Act of 1940." Quoted from - - Copy of document above referred to, submitted by Mr. Graubard, entitled, "Memorandum for New York Stock Exchange -- re Alleghany Corporation," consisting of four pages, dated December 22, 1954, and signed, in blank, "White & Case," was received in evidence, and marked Objectants Exhibit 379, as of this date. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 380 | 2259 | 11/23/55 | Copy of document above referred to, submitted by Mr. Graubard, entitled, "Alleghany Corporation 6% Convertible Preferred Stock - Pick Up by Brokerage firms prior to issuance of restraining order," consisting of three pages, was marked Objectants' Exhibit 380 for identification, as of this date. |
| 381 | 2274 | | Copy of document above referred to, entitled, "Formula for determining the net asset value of common after the exercise of conversion privilege on new preferred stock," which document was submitted by Mr. Graubard, was received in evidence and marked Objectants' Exhibit 381, as of this date. |
| 383 | 2277 | | Memorandum above referred to, submitted by Mr. Graubard, dated February 1, 1955, to Mr. David W. Wallace, signed, "Robert R. Young," was marked Objectants' Exhibit 382 for identification, as of this date. |
| 383-A | 2278 | | Letter above referred to, submitted by Mr. Graubard, on the letterhead of White & Case, 14 Wall Street, New York 5, N.Y., dated February 9, 1955, containing the notation in the upper lefthand corner, "Re Alleghany Corporation," addressed to David W. Wallace, Esq., Secretary and Treasurer, Alleghany Corporation, signed, "Andrew O. Miller, Jr.," was received in evidence and marked Objectants' Exhibit 383-A, as of this date. |
| 383-B | 2278 | | Copy of document above referred to, submitted by Mr. Graubard, on the stationery of the Alleghany Corporation, Chrysler Building, New York 17, N.Y., dated February 9, 1955, addressed to Kidder, Peabody & Co., 17 Wall Street, New York, N.Y., consisting of three pages, signed, "David W. Wallace," was received in evidence and marked Objectants' Exhibit 383-B, as of this date. |
| 383-C | 2279 | | Copy of letter above referred to, submitted by Mr. Graubard, on the stationery of White & Case, 14 Wall Street, New York 5, N.Y., dated February 8, 1955, and containing, in the upper lefthand corner, the notation "Re Alleghany Corporation," addressed to Kidder, Peabody & Co., 17 Wall Street, New York, N.Y., signed, "White & Case," was received in evidence and marked Objectants' Exhibit 383-C, as of this date. |
| 383-D | 2279 | | Copy of letter above referred to, submitted by Mr. Graubard, on the stationery of White & Case, 14 Wall Street, New York 5, N.Y., dated February 9, 1955, addressed to Kidder, Peabody & Co., 17 Wall Street, New York, N.Y., attention of Mr. O'Shea, and containing, in the upper lefthand corner, the notation, "Re Alleghany Corporation," signed, "White & Case," was received in evidence and marked Objectants Exhibit 383-D, as of this date. |

[fol. 1804]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 383-E | 2280 | 11/23/55 | Copy of letter above referred to, submitted by Mr. Graubard, dated February 9, 1955, addressed to Messrs. Sullivan & Cromwell, 48 Wall Street, New York, N.Y. attention of Mr. Stevenson, and containing in the upper left hand corner the notation "Re Alleghany Corporation," signed, "White & Case," was received in evidence and marked Objectants' Exhibit 383-E, as of this date. [fol. 1805] |
| 383-F | 2280 | | Printed document above referred to, submitted by Mr. Graubard, entitled, "Alleghany Corporation - Exchange Offer -- Agreement with Dealer Manager," dated New York, N. Y., February 8, 1955, addressed to Kidder, Peabody & Co., 17 Wall Street, New York, N. Y., consisting of seven pages, was received in evidence and marked Objectants' Exhibit 383-F, as of this date. |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 384 ev. | 2341 | 11/30/55 | Document submitted by Mr. Daly entitled "Opening remarks of Robert R. Young, chairman of the Board of Directors of Alleghany Corp. at Board of Directors of Alleghany meeting Jan. 19, 1954 |
| 385 id. | 2456 | 12/2/55 | Document submitted by Mr. Poe, entitled "Supreme Court of the State of New York, Sadie Zenn, et al, plaintiffs, v. J. J. Anzalone, et al, defendants" containing index No. 7244/1954, entitled "Opposition of Nellie B. Kelly, a stockholder of the Alleghany Corp., to the settlement proposed to stockholders by notice dtd August 18, 1955" |
| 386 id. | 2457 | | Copy of bill of complaint submitted by Mr. Poe, filed in U.S. District Court for District of Rhode Island, in matter of Nellie B. Kelly, resident of Lancaster, R.I., vs. Robert R. Young, Anita O'Keefe Young, residents of Rhode Island |
| 386 ev. | 2470 | | Bill of complaint consisting of 9 pages, heretofore marked Objectant's Exhibit 386 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Obj. 387 | 2686 | 12/5/55 | Photostatic copy of document submitted by Mr. Graubard, entitled, "Analysis of Exchanges of Alleghany Corporation cumulative 5-1/2 percent preferred stock Series A by Robert R. Young", received in evidence and marked Objectants' Exhibit 387. |
| Obj. 388 | 2711 | | Letter submitted by Mr. Graubard, on the stationery of Allan P. Kirby, Camden, South Carolina, dated March 14, 1949, addressed to Mr. Robert R. Young, consisting of two pages, signed, "Allan," and containing underneath the typewritten signature "Allan P. Kirby". |
| Obj. 389 | 2719 | | Carbon copy of letter submitted by Mr. Graubard, dated November 13, 1951, addressed to Mr. Allan P. Kirby, consisting of four pages and containing, in the lower lefthand corner of the second page, the typewritten initials "R. R. Y: "RMC". |
| Obj. 390 | 2739 | | Letter submitted by Mr. Graubard, on the stationery of Robert W. Purcell, 3600 Terminal Tower, Cleveland 13, Ohio, dated August 12, 1949, addressed to Mr. Robert R. Young, chairman, Alleghany Corporation, consisting of two pages, signed, "R. W. Purcell," marked Objectants' Exhibit 390. |
| Obj. 391 | 2779 | 12/6/62 | Batch of 39 letters submitted by Mr. Graubard, on the letterhead of Purcell and on the letterhead of Alleghany Corporation, directed to Robert R. Young, Palm Beach, Florida, commencing January 16, 1950, and terminating December 5, 1950, and also some letters addressed to Robert R. Young in New York City and in Newport, Rhode Island, were received in evidence and marked Objectants' Exhibit 391. [fol. 1807] |
| Obj. 392 | 2812 | | Copy of letter submitted by Mr. Graubard, dated December 20, 1948, from Mr. Kirby to Mr. Purcell, consisting of one page. |
| Obj. 393 | 2819 | | Mimeographed report entitled "Investors' Syndicate, Inc., What the Analysis Reveals," bearing the date 4/7/49, by Charles Shipman. |
| Obj. 394-A<br>394-B | 2844 | | Two documents submitted by Mr. Graubard, the first being a mimeographed document entitled, "Investors Diversified Services in Mid-1949--Earnings, Operations, Reserve Requirements and the Investment Program", consisting of 12 pages, with the typewritten signature "Charles Shipman," followed by the date 8/15/49 in the lower lefthand corner of page 12; together with memorandum from Charles Shipman attached, dated 8/16/49, addressed to Mr. Young, signed with the pen and ink initials "C.S." 1288 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Obj. 395-A<br>395-B | 2848 | 12/6/62 | Two documents submitted by Mr. Graubard, the first one being a letter on the stationery of Robert W. Purcell, dated January 6, 1950, addressed to Mr. Robert R. Young, signed, "R. W. Purcell"; together with document on the stationery of the Chesapeake & Ohio Railway Company, dated Palm Beach, January 20, 1950, addressed to Mr. Robert W. Purcell. |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 396 ev. | 3060 | 12/8/55 | Certificate of excerpt from minutes of meeting of Board of Directors of Alleghany Corp. submitted by Mr. Daly |
| 397-A ev. | 3065 | | Letter submitted by Mr. Daly on letterhead of Investors Diversified Services, Inc., Minneapolis, dated Dec. 7, 1955 to Mr. Dave Wallace, 230 Park Ave. New York signed "N.B. Waag" |
| 397-B ev. | 3065 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, November 30, 1949" |
| 397-C ev. | 3066 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, Dec. 31, 1949" |
| 397-D ev. | 3066 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, Jan. 31, 1950" |
| 397-E ev. | 3066 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, Feb. 28, 1950" |
| 397-F ev. | 3066 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, March 31, 1950" |
| 397-G ev. | 3067 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, April 30, 1950" |
| 397-H ev. | 3067 | | Reproduced copy of document submitted by Mr. Daly, "Investors Diversified Services, Inc. -- Comparative Balance Sheet, May 31, 1950" |
| 398 ev. | 3097 | | Reproduced copy of copy of letter submitted by Mr. Graubard on letterhead of Wheeler & Wheeler, dtd Jan. 28, 1954, to Interstate Commerce Commission, Washington 25, D.C. In re: Finance Docket No. 14692 |
| 399 ev. | 3097 | | Reproduced copy of copy of letter submitted by Mr. Graubard "Interstate Commerce Commission, Wash. 25" dtd Feb. 25, 1954 to Hon. Burton E. Wheeler |
| 400 ev. | 3172 | | Ribbon copy of letter submitted by Mr. Graubard "Investors Diversified Services, Inc., Minneapolis" dtd Aug. 2, 1955 |
| 401 ev. | 3221 | | Memorandum submitted by Mr. Daly "Young and Kirby participation in Alleghany preferred stock exchanges" |

[fol. 1809]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 403 ev. | 3222 | | Photostat copy of document submitted by Mr. Daly, "Alleghany Corp. -- Purchases of cumulative 5-1/2 percent preferred stock series A by Mrs. Robert R. Young -- Sept. 1946 thru Dec, 1951" |
| 403 ev. | 3223 | | Photostat copy of document submitted by Mr. Daly "Alleghany Corp -- Purchases of Cumulative 5-1/2 percent preferred stock series A by Robert R. Young -- Sept, 1948 thru Dec. 1951" |
| 405 ev. | 3224 | | Document submitted by Mr. Daly "Alleghany Corp -- Market Purchases of Cumulative 5-1/2 percent Preferred Stock series A |
| 406 ev. | 3226 | | Photostat copy of document submitted by Mr. Daly "Alleghany Corp -- Market Purchases of Prior Preferred Convertible Stock" for period Dec. 1946 thru November 1951" |

[fol. 1810]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 407 | 3271 | 12/14/55 | Ribbon copy of letter submitted by Mr. Daly dated December 9, 1955, addressed to the Securities and Exchange Commission, Washington 25, D. C., signed, in blank, "Alleghany Corporation by David W. Wallace." |
| 408 | 3272 | | Document submitted by Mr. Daly entitled "Securities and Exchange Commission, Washington 25, D. C. -- Form N-8A -- Notification of Registration Filed Pursuant to Section 8 (a) of the Investment Company Act of 1940 -- Alleghany Corporation -- Name of Registrant," consisting of ten pages. |
| 409 | 3282 | | Reproduction of postcard submitted by Mr. Daly, addressed to Mr. David W. Wallace, Alleghany Corporation, 230 Park Avenue, New York 17, New York, by the Securities and Exchange Commission, dated 12-9-55 and signed by James Hindle, Records Officer. |
| 410 | 3285 | | Copy of order to show cause submitted by Mr. Daly in the matter of Breswick & Co. and Myron Neisloss, as stockholders of Alleghany Corporation, etcetera, plaintiffs, against O. Henry Briggs, et al, defendants, in the United States District Court, Southern District of New York, Civil Action No. 98-371, consisting of four pages, dated: New York, March 4, 1955, and signed by Sylvester J. Ryan, United States District Judge. |
| 411 | 3287 | | Photostat copy of document entitled, NYLJ -- December 14, 1955 -- page 7 -- Column 2 -- Appellate Division -- First Department -- By Peck, Britel, Bastau & Cox," submitted by Mr. Daly. |
| 411-A | 3288 | | Printed copy of opinion of Judge Walsh, submitted by Mr. Graubard, in the matter of Breswick & Co. and Myron Neisloss, as stockholders of Alleghany Corporation, etcetera, plaintiffs against O. Henry Briggs, et al, defendants, in the United States District Court, Southern District of New York, Civ. 98-371, consisting of ten pages, signed, in blank, "Lawrence E. Walsh, United States District Judge," dated: September 28, 1955." |
| 412 | 3290 | | Copy of copy of letter submitted by Mr. Daly entitled, "The Chesapeake & Ohio Railway Company," dated March 31, 1954, containing the notation "Finance Docket No. 14692," addressed to the Interstate Commerce Committee, Washington 25, D.C., signed, in blank "J. C. Kauffman, vice president and general counsel." |

[fol. 1811]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 413 | 3291 | 12/14/55 | Copy of copy of letter submitted by Mr. Daly, entitled "The Chesapeake & Ohio Railway Company," dated March 31, 1954, containing the notation "Finance Docket No. 14692," addressed to the Interstate Commerce Commission, Washington 25, D.C., signed, in blank, "J. C. Kauffman, vice president and general counsel." |
| 414 | 3292 | | Copy of copy of letter submitted by Mr. Daly, entitled "Interstate Commerce Commission, Washington 25, D.C." dated April 5, 1954, containing the notation, "Finance Docket No. 14692," addressed to Mr. Joseph C. Kauffman, vice president and general counsel, the Chesapeake & Ohio Railway Company, signed in blank, "J. M. Johnson, chairman." |
| 415 | 3293 | | Copy of copy of letter submitted by Mr. Daly entitled "Interstate Commerce Commission, Washington 25, -- Office of the General Counsel," dated November 10, 1955, addressed to Judges Frank, Dimock and Walsh, re: Breswick & Co. and ano. v. United States et al. -- Civil Action No. 101-114, consisting of three pages, signed in blank "Lee H. Pou, Associate General Counsel." |
| 416 | 3295 | | Ribbon copies of three letters submitted by Mr. Daly, the first dated July 9, 1954, addressed to the Interstate Commerce Commission, Washington 25, D.C., signed, in blank by T. H. Keeler, assistant secretary, the second being a letter dated October 5, 1954, addressed to the Interstate Commerce Commission, Washington 25, D.C., signed, in blank by T. H. Keeler, assistant secretary, and the third dated January 7, 1955, addressed to the Interstate Commerce Commission, Washington 25, D.C., signed, in blank by T. H. Keeler, assistant treasurer, all three letters being in connection with Finance Docket No. 14692. [fol. 1812] |
| 417-A | 3296-7 | | Certificate of excerpt from minutes of September 17, 1946, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace, as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-A, as of this date. |
| 417-B | 3297 | | Certificate of excerpt from minutes of November 19, 1946, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-B, as of this date. 1293 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 417-D | 3297-8 | | Certificate of excerpt from minutes of March 13, 1947, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of three pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 1st day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-D, as of this date. |
| 417-C | 3298 | | Certificate of excerpt from minutes of February 24, 1955, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, certified by Mr. David W. Wallace, as secretary of Alleghany Corporation, was received in evidence and marked Defendants' Exhibit 417-C, as of this date. |
| 417-E | 3298 | | Certificate of excerpt from minutes of May 15, 1947, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace, as secretary of Alleghany Corporation, on the 1st day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-E, as of this date. |
| 417-F | 3298-9 | | Certificate of excerpt from minutes of July 30, 1947, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of three pages, certified by David W. Wallace, as secretary of Alleghany Corporation on the 1st day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-F, as of this date. |
| 417-G | 3299 | | Certificate of excerpt from minutes of November 18, 1947, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace, as secretary of Alleghany Corporation on the 1st day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-G, as of this date. |

[fol. 1813]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 417-H | 3299-3300 | | Certificate of excerpt from minutes of November 25, 1947, meeting of the board of dirrctors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace, as secretary of Alleghany Corporation, on the 1st day of December, 1955, and notarized on the same date by a notary public of the state of New Yori, was received in evidence and marked Defendants' Exhibit 417-H, as of this date. |
| 417-I | 3300 | | Certificate of excerpt from minutes of February 25, 1948, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation, on the 8th day of December, 1955, and notarized on the date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-I, as of this date. |
| 417-J | 3300-1 | | Certificate of excerpt from minutes of May 26, 1948, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace, as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-J, as of this date. |
| 417-K | 3301 | | Certificate of excerpt from minutes of July 19, 1948, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-K, as of this date. |
| 417-L | 3301-2 | | Certificate of excerpt from minutes of October 19, 1948, meeting of the board of the directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-L, as of this date. |

[fol. 1814]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 417-M | 3302 | | Certificate of excerpt from minutes of December 8, 1948, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York and marked Defendants' Exhibit 417-M, as of this date. |
| 417-N | 3302 | | Certificate of excerpt from minutes of March 2, 1949, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same day by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-N, as of this date. |
| 417-O | 3302-3 | | Certificate of excerpt from minutes of April 21, 1949, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 8th day of December, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-O, as of this date. |
| 417-P | 3303 | | Certificate of excerpt from minutes of August 16, 1949, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallce, as secretary of Alleghany Corporation on the 12th day of December, 1955, and notarized on December 13, 1955, by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 417-P, as of this date. |
| 418-A | 3304 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- December 23, 1948," was received in evidence and marked Defendants' Exhibit 418-A, as of this date. |
| 418-B | 3304 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of Board of Directors of Alleghany Corporation -- November 10, 1948," was received in evidence and marked Defendants' Exhibit 418-B, as of this date. |

[fol. 1815]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 418-C | 3304-5 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of Executive Committee of the Board of Directors of Alleghany Corporation -- January 17, 1948," was received in evidence and marked Defendants' Exhibit 418-C, as of this date. |
| 418-D | 3305 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of the Executive Committee of the Board of Directors of Alleghany Corporation -- October 22, 1947," was received in evidence and marked Defendants' Exhibit 418-D, as of this date. |
| 418-E | 3305 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolution of Executive Committee of the Board of Directors of Alleghany Corporation -- September 15, 1947," was received in evidence and marked Defendants' Exhibit 418-E, as of this date. |
| 418-F | 3305 | | Reproduced copy of document above referred to, submitted by Mr. Daly, entitled, "Resolutions of the Executive Committee of Board of Directors of Alleghany Corporation -- September 4, 1946," was received in evidence and marked Defendants' Exhibit 418-F, as of this date. |
| 419 | 3306 | | Certificate of excerpt from minute of November 2, 1950, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, consisting of two pages, certified by David W. Wallace as secretary of Alleghany Corporation on the 18th day of November, 1955, and notarized on the same date by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 419, as of this date. [fol. 1816] |
| 420 | 3307-8 | | Certificate of resolution from minute of June 15, 1954, meeting of the board of directors of Alleghany Corporation, above referred to, submitted by Mr. Daly, certified by Daly, certified by David W. Wallace as secretary of Alleghany Corporation on the 18th day of November, 1955, and notarized on the same day by a notary public of the State of New York, was received in evidence and marked Defendants' Exhibit 420, as of this date. |

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| 421 | 3309 | | Document above referred to, submitted by Mr. Daly, containing information obtained from the National Quotation Bureau and confirmed by Standard & Poor's with respect to the bid and asked price of Investors Diversified Services, Inc., Class A stock on May 3, 1950, was received in evidence and marked Defendants' Exhibit 421, as of this date. |
| 422 | 3313 | | Document above referred to, submitted by Mr. Daly, entitled, "Memorandum -- Robert W. Purcell -- I.D.S. Purchases for 1949 and 1950," was received in evidence and marked Defendants' Exhibit 422, as of this date. |
| 423 | 3314 | | Document above referred to, submitted by Mr. Daly, entitled, "Memorandum -- Alleghany Corporation -- Securities Sold at a Loss in 1954," was received in evidence and marked Defendants' Exhibit 423, as of this date. |
| 424 | 3315 | | Copy of letter above referred to, submitted by Mr. Daly, on the stationery of White & Case, 14 Wall Street, New York 5, N.Y., dated June 27, 1951, addressed to Alleghany Corporation attention Mr. Robert W. Purcell, consisting of two pages, signed, in blank, "White & Case," was received in evidence and marked Defendants' Exhibit 424, as of this date. |
| 425 | 3317 | | Reproduced copy of complaint verified May 29, 1950, above referred to, submitted by Mr. Daly, in action in the Supreme Court, New York County, in the matter of David L. Lieb, plaintiff, against Alleghany Corporation, et al, defendants, consisting of 17 pages, was received in evidence and marked Defendants' Exhibit 425, as of this date. |
| 426 | 3319 | | Reproduced copy of letter above referred to, submitted by Mr. Daly, on the letterhead of Edward Y. Baugeard, dated November 16, 1955, addressed to Mr. David W. Wallace, secretary and treasurer, Alleghany Corporation, together with four reproduced pages of tabulations attached, were received in evidence and marked Defendants' Exhibit 426, as of this date. |
| 427-A | 3332 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. O'Henry Briggs, was marked Objectants' Exhibit 427-A for identification, as of this date. |

[fol. 1817]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 427-B | 3332 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Andrew Van Pelt, was marked Objectants' Exhibit 427-B for identification, as of this date. |
| 427-C | 3332 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Walter W. Koskett, was marked Objectants' Exhibit 427-C for identification, as of this date. |
| 427-D | 3332 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. E. Y. Baugeard, was marked Objectants' Exhibit 427-D, as of this date. |
| 427-E | 3332-3 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Robert W. Purcell, was marked Objectants' Exhibit 427-E for identification, as of this date. |
| 427-F | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Brooks Potter, was marked Objectants' Exhibit 427-F, as of this date. |
| 427-G | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. J. J. Anzalone, was marked Objectants' Exhibit 427-G for identification, as of this date. |
| 427-H | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Henry J. Guild, was marked Objectants' Exhibit 427-H for identification, as of this date. |
| 427-I | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Herman R. Neff, was marked Objectants' Exhibit 427-I, for identification, as of this date. |
| 427-J | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Frank B. Bateman, was marked Objectants' Exhibit 427-J for identification, as of this date. |
| 427-K | 3333 | | Copy of letter above referred to, submitted by Mr. Graubard, dated July 25, 1955, addressed to Mr. Radcliffe Swinnerton, was marked Objectants' Exhibit 427-K, for identification, as of this date. |

[fol. 1818]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
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| Def. 428 | 3368 | 12/15/55 | Photostat copy of document submitted by Mr. Daly, entitled, "Alleghany Corporation--Purchases of Prior Preferred Convertible Stock by Mrs. Robert R. Young--September, 1946 through December, 1951", consisting of three pages. |
| Def. 429 | 3369 | | Photostat copy of document submitted by Mr. Daly, entitled, "Alleghany Corporation--Purchases of Cumulative 5-1/2 percent preferred stock series A by Mrs. Robert R. Young--January, 1952 through November, 1955", consisting of two pages. |
| Def. 430 | 3369 | | Photostat copy of document submitted by Mr. Daly, entitled, "Alleghany Corporation--Purchases of Cumulative 5-1/2 percent stock series A by Robert R. Young--January, 1952 through November, 1955", consisting of two pages. |
| Def. 431 | 3370 | | Photostat copy of document submitted by Mr. Daly, entitled, "Alleghany Corporation--Purchases of Prior Preferred Convertible stock by Mrs. Robert R. Young--January, 1952 through November, 1955". |
| Def. 432 | 3371 | | Photostat copy of document submitted by Mr. Daly, entitled, "Alleghany Corporation--Purchases of Prior Preferred Convertible Stock by Robert R. Young--January, 1952 through November, 1955". |
| Def. 433 | 3372 | | Photostat copy of document submitted by Mr. Daly, consisting of four pages, each page of which is entitled, "Alleghany Corporation Stock Record--New York Stock Exchange--January, 1946 through October, 1955". [fol. 1819] |
| Def. 434 | 3374 | | Document submitted by Mr. Daly, entitled, "Alleghany Corporation--Breakup Value of Cumulative 5-1/2 percent Preferred Stock Series A--September, 1946 through November, 1955--(end of month figures)". |
| Def. 435 | 3393 | | Document submitted by Mr. Daly, entitled, "Alleghany Corporation," said document purporting to be a schedule showing the cash situation in Alleghany Corporation from September 30, 1953, through July 31, 1954, |
| Plt. 436 | 3451 | | Copy of memorandum submitted by Mr. Haudek, dated November 29, 1949, entitled, "Memorandum: -- re: Securities and Exchange Commission Conferences I spent November 21 with the various members of the S.E.C. and members of the staff," etcetera, consisting of four pages, signed, in blank, "H. K. Bradford", 1300 |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| Obj. Exhs. | 3454 | 12/15/55 | Sheaf of documents, submitted by Mr. Graubard, were marked as follows: |
| Obj. 437-A | 3454 | | Ribbon copy of document entitled, "Memorandum--2: The Commission -- from: Chief Accountant -- Subject: Adoption of a New Article 6 (B) in Regulation S-X-Face-Amounts Certificate Investment Companies," consisting of five pages. |
| Obj. 437-B | 3454 | | Ribbon copy of small slip of paper entitled, "Copy," . |
| Obj. 437-C | 3455 | | Ribbon copy of document entitled, "Memorandum -- re: Investors Syndicate -- Proposed Article 6 B of Regulation S-X", consisting of two pages, signed, in blank, "J. K. McClare," and containing in the lower lefthand corner of the second page the date August 16, 1948. |
| Obj. 437-D | 3455 | | Letter on the letterhead of Securities and Exchange Commission, Washington, dated November 13, 1950, addressed to Mr. R. W. Purcell, Alleghany Corporation, Chrysler Building, New York 17, New York, signed, "Baldwin B. Bane," Director Division of Corporation Finance. |
| Obj. 437-E | 3455 | | Copy of document entitled, "Article 6 B. Face-Amount Certificate Investment Companies," consisting of 25 pages. |
| Obj. 437-F | 3456 | | Mimeographed copy of document entitled "Preliminary Draft of 10-31-49 -- Securities and Exchange Commission, Washington, D.C. -- Form N-8B-4 -- Registration Statement of Face-Amount Certificate Companies -- Pursuant to Section 8 (b) of the Investment Company Act of 1940", consisting of 16 pages. |
| Obj. 438 | 3456 | | Mimeographed copy of document, submitted by Mr. Graubard, entitled, "Alleghany Corporation and the Chase National Bank of the City of New York -- Loan Agreement -- dated August 13, 1951 -- $15,000,000", consisting of 12 pages. |

[fol. 1820]

1301

| REF. EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| E-1 id. | 3476 | 12/27/55 | Telegram submitted by Referee, dtd Dec. 15, 1955, addressed to Mr. Robert J. Fitzsimmons, Esq., 654 Madison Avenue, N.Y. signed "Reuben Flacks" |
| E-2 ed. | 3476 | | Telegram submitted by Referee, dtd Dec. 15, 1955 to Mr. Robert J. Fitzsimmons, signed "Bernard Dorenfest" |
| E-3 id. | 3476 | | Telegram dtd Dec. 15, 1955, to Mr. Robert J. Fitzsimmons, signed "Irwin Siegal" submitted by Referee |
| F | 3477 | | Letter submitted by Referee on letterhead of Graubard & Moskowitz, to Hon. Robert J. Fitzsimmons, re: Zenn et al vs Anzalone, et al, consisting of 5 pages, signed "Seymour Graubard" |
| 439 id. | 3490 | | Memorandum of interview with Clint W. Murchison by William Johnson of "Time" magazine, submitted by Mr. Graubard, dtd July 16, 1956 |
| 440 id. | 3588 | | Document submitted by Mr. Daly, "1st consolidation order -- U. S. District Court Southern District of New York -- Sadie Zenn, against Alleghany Corp. -- Civil No. 91-331 (Action No. 1) |
| 441 id. | 3589 | | Document submitted by Mr. Daly, "(1st Consolidation Order) at a Special Term, Part I. of Supreme Court of the State of New York, on 7th day of June, 1954 |
| 442-A ev. | 3591 | | Letter submitted by Mr. Graubard on letterhead of Investors Diversified Services, dtd Dec. 21, 1955 to David W. Wallace |
| 442-B ev. | 3591 | | Copy of document submitted by Mr. Graubard, containing notation "Schedule I" "Investors Diversified Services, Inc. -- Number of Shares of I.D.S. stock transferred by months for years 1949-1950" |
| 442-C ev. | 3592 | | Document submitted by Mr. Graubard, "Schedule II -- Number of shares of Investors Diversified Services, Inc. stock held in 'Street Name' at Dec. 31, 1955 and 1954 and at July 8, 1955" |
| 442-D ev. | 3592 | | Envelope submitted by Mr. Graubard, from Investors Diversified Services, Inc. to Mr. David W. Wallace, secretary and treasurer Alleghany Corp. 230 Park Avenue, N.Y., N.Y. |

[fol. 1821]

1302

| REF. EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 443 ev. | 3626 | | Document submitted by Mr. Graubard, entitled "Alleghany's acquisition program" and containing in the lower right hand corner, the pencilled notation, "4/5/54" |
| 444 ev. | 3642 | 12/28/55 | Sheet of paper submitted by Mr. Graubard, being a white sheet containing in bold face at the top the title "Alleghany's Acquisition Program" |
| 445 ev. | 3659 | | Electrocardiogram submitted by Mr. Daly, relating to Mr. Allan P. Kirby |

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 446 id. | 3751 | 12/29/55 | Document being an address by William White, delivered before the New York Society of Security Analysts on March 15, 1954, submitted by Mr. Graubard |
| 447 id. | 3755 | | Article entitled "The Central Rolls Again" by Herryman Maurer, appearing the May 1954 issue of "Fortune" magazine, submitted by Mr. Graubard |
| 448 ev. | 3790 | | Reproduced copy of letter submitted by Mr. Graubard addressed to Mr. William White, president New York Central System, signed "Robert R. Young" |
| 449 ev. | 3866 | 12/30/55 | Ribbon copy of memorandum submitted by Mr. Graubard dtd April 17, 1954, entitled "To: Mr. Robert R. Young -- from: Charles T. Ireland, Jr. -- Re. Alleghany-Kirby-Murchison-Richardson Loan and 'Puts'" consisting of 3 pages |
| 450-A ev. | 3867 | | Booklet submitted by Mr. Graubard, "Annual Report - 1953 - the New York Central Railroad Company |
| 450-B ev. | 3868 | | Booklet entitled "The New York Central Railroad Company - Statistical Supplement to Annual Report - 1953" submitted by Mr. Graubard |
| 125-A ev. | 3894 | | Booklet submitted by Mr. Pomerantz, "Important -- Please sign your proxy now - To Stockholders of the New York Central Railroad" dtd April 8, 1954 |
| 125-B ev. | 3895 | | Document submitted by Mr. Pomerantz, "This is your proxy authorization to your broker - For the Alleghany-Young-Kirby Ownership Board - the New York Central Railroad Company" |
| 125-C ev. | 3895 | | Document submitted by Mr. Pomerantz "This is your proxy - Proxy for Alleghany-Young-Kirby Ownership Board - the New York Central Railroad Company" |
| 451 ev. | 3898 | | Copy of order of Hon. Irving H. Saypol, submitted by Mr. Endelman, in matter of Sadie Zenn plaintiffs against J.J. Anzalone, defendant, index No. 7244/1954, dtd October 31, 1955, consisting of 3 pgs. |

[fol. 1823]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 452 ev. | 3898 | | Affidavit of Sadie B. Unger, submitted by Mr. Endelman, matter of Sadie Zenn, et al, plaintiffs, against J.J. Anzalone, et al, defendants in Supreme Court of State of New York, signed and sworn to by Sadie B. Unger on 15th day of Nov. 1955 before a notary public of New Jersey |

[fol. 1824]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 121-A thru. 121-II ev. (Pl. Exh.) | 3907 | 1/6/56 | Large envelope, together with 35 documents contained therein, submitted by Mr. Haudek, heretofore marked Pl. Ex. 121 in evid. |
| 453 ev. | 3943 | | Copy of memorandum submitted by Mr. Graubard "To: Mr. Robert R. Young - from: Robert W. Purcell, 5 pages. |
| 454 | 3993 | | Document submitted by Mr. Graubard, "Agreement for Purchase of Securities Between Robert W. Purcell and Alleghany Corp., 4 pages. |
| 455 | 4044 | | Reproduced copy of the supplemental opinion of the statutory court, submitted by Mr. Graubard, Dec. 23, 1955 in matter of Breswick & Company, plaintiffs against U.S. of America, defendants, Civil 101-114, 2 pages. |
| 456 | 4045 | | Reproduced copy of judgment of the statutory court, submitted by Mr. Graubard, dtd. Dec. 23, 1955 in matter of Breswick & Co. plaintiffs against U.S. of America, defendants, Civil 101-114, 3 pages. |
| 457 | 4097 | | Letter submitted by Mr. Adams on letterhead of Lord, Day & Lord, 25 Broadway, N.Y. dtd. July 11, 1955 to Wm. E. Stockhausen, Esq. re: Zenn, v. Anzalone, signed "Thomas F. Daly". |
| 458 | 4109 | | Ribbon copy of Judge Sugarman's opinion of Jan. 5, 1956, submitted by Mr. Daly in matter of Zenn v. Anzalone, Civil 92-205, in Federal Court, containing typewritten signature "Sidney Sugarman" U.S. District Judge. |
| 459 id. | 4115 | | Draft of stipulation of settlement, submitted by Mr. Daly, dtd. New York, July blank, 1955, consisting of 7 pages. |
| 460 id. | 4116 | | Copy of draft of stipulation of settlement, submitted by Mr. Daly in matter of Sadie Zenn v. J. J. Anzalone of 8 pages. |

[fol. 1825]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 461 Ev. | 4270 | 1/13/56 | Copy of document submitted by Mr. Pomerantz, "Zenn v. Anzalone" Preliminary List of Documents to be requested from Alleghany on stationery of David Borden & Co. |
| 462 | 4374 | | Copy of letter submitted by Mr. Pomerantz, dtd. Jan. 31, 1955 to Lord, Day & Lord, Esq. re: Zenn v. Anzalone (Alleghany Corporation) attn: Woodson Scott, Esq. |
| 463 | 4376 | | Letter submitted by Mr. Pomerantz on letterhead of Lord, Day & Lord, dtd. Jan. 25, 1955 to Abraham L. Pomerantz, Esq. re: Zenn, et al v. Anzalone, et al, signed "Woodson B. Scott". |
| 464 | 4411 | | Letter submitted by Mr. Pomerantz on letter of Pomerov & Shapiro, dtd. July 12, 1954 to Pomerantz, Levy & Haudek, signed "Morty". |
| 465 | 4411 | | Letter submitted by Mr. Pomerantz on letterhead of Pomerov & Shapiro, dtd. July 15, 1954, to Abraham Pomerantz, signed "Morty". |
| 466 | 4401 | | Document submitted by Mr. Bijur, dtd. Nov. 15, 1955, "Zenn versus Anzalone -- New York Central Comm.- Murchison said laid out in cash". |
| 467 | 4401 | | Document submitted by Mr. Bijur, dtd. Dec. 30, 1955, "Zenn vs. Anzalone -- New York Central Comm. Richardson financing (revised)". |
| 468 | 4504 | | Affidavit of Carl M. Birsby submitted by Mr. Leibal sworn to on the 6th day of January, 1955. |

[fol. 1826]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 469 | 4511 | 1/19/56 | Letter submitted by Mr. Graubard, on the letterhead of National Quotation Bureau Incorporated, dated November 18, 1955, addressed to Graubard & Moskovitz, 115 Broadway, New York, N.Y.; together with document attached entitled "Investors Diversified Services Common Stock. |
| 470 | 4569 | | Pencilled list submitted by Mr. Pomerantz dated 1/18/56, entitled "Zenn v. Anzalone: List of Exhibits as to which Inquiry will be made," consisting of two pages. |
| 471 | 4580 | | Eleven-page booklet submitted by Mr. Daly, entitled "Alleghany Corporation and the Chase National Bank of the City of New York -- Loan Agreement -- dated June 1, 1945," |
| 472 | 4581 | | Document submitted by Mr. Daly entitled "Alleghany Corporation -- Banks Loans Outstanding at December 31, 1946 through 1955 -- Together with Income for Years 1946 through 1954." |
| 473-A | 4597 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C.," being a report of Anita O'K. Young for the calendar month ending October 30, 1946. |
| 473-B | 4597 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission, Washington 25, D.C.," being a report of Anita O'K. Young for the calendar month ending March 30, 1950. |
| 473-C | 4597 | | Ribbon copy of document submitted by Mr. Daly, entitled, "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending April 30, 1950. |
| 473-D | 4597-8 | | Ribbon copy of document submitted by Mr. Daly entitled 'Form 4 -- Securities and Exchange Commission -- Washington 25, D.C.," being a report of Anita O'K. Young for the calendar month ending May 31, 1950. |
| 473-E | 4598 | | Ribbon copy of document submitted by Mr. Daly entitled, "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending June 30, 1950. |
| 473-F | 4598 | | Ribbon copy of document submitted by Mr. Daly entitled, "Form 4-- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending July 30, 1950. |
| 473-G | 4598-9 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending September 30, 1950. |

[fol. 1827]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 473-H | 4599 | 1/19/56 (cont'd) | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission, Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending October 31, 1950. |
| 473-I | 4599 | | Ribbon copy of document above referred to submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending November 30, 1950. |
| 473-J | 4599 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending December 31, 1950. |
| 473-K | 4600 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending January 30, 1951. |
| 473-L | 4600 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending February 28, 1951. |
| 473-M | 4600-01 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C" being a report of Anita O'K. Young for the calendar month ending March 30, 1951. |
| 473-N | 4601 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending April 30, 1951. |
| 473-O | 4601 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending May 31, 1951. |
| 473-P | 4601-2 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending June October 30, 1951. |
| 473-Q | 4602 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending November 30, 1951. |

[fol. 1828]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 473-R | 4602 | 1/19/56 | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Anita O'K. Young for the calendar month ending December 31, 1951. |
| 474-A | 4603 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Robert R. Young for the calendar month ending March 31, 1947. |
| 474-B | 4603 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Robert R. Young for the calendar month ending November 30, 1948. |
| 474-C | 4603 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Robert R. Young for the calendar month ending January 31, 1950. |
| 474-D | 4603 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Robert R. Young for the calendar month ending May 31, 1950. |
| 474-E | 4604 | | Ribbon copy of document submitted by Mr. Daly entitled "Form 4 -- Securities and Exchange Commission -- Washington 25, D.C." being a report of Robert R. Young for the calendar month ending January 31, 1951. |
| 475 | 4605-6 | | Letter submitted by Mr. Daly on the letterhead of J. M. Dain & Company Incorporated, Minneapolis 2, Minnesota, dated December 16, 1955, addressed to Mr. F. H. McFadden, attorney, Lord, Day & Lord, consisting of two pages. |
| 476 | 4613 | | Document submitted by Mr. Daly entitled "Mr. David W. Wallace: -- re Your conversation today the following tabulation covers the sale of the Investors Diversified Services, Inc., class 'A' stock," dated January 11, 1956, signed "J.F.C.," with the typewritten signature "J.F.Conddon," underneath. |
| 477 | 4623 | 1/20/56 | Affidavit of Jacob Haimowitz submitted by Mr. Pomerantz on behalf of Mr. Beckhardt, in the matter of Sadie Zenn, et al, versus J. J. Anzalone, et al., in the Supreme Court of the State of New York, County of New York, signed and sworn to on the 16th day of September, 1955, by Jacob Haimowitz. |

[fol. 1829]

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| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 478-A | 4625 | 1/20/56 | Copy of notice of deposition submitted by Mr. Pomerantz, in the United States District Court, Southern District of New York, in the matter of Sadie Zenn, et al, plaintiffs, against J. J. Anzalone, et al, defendants, to take the deposition of Allan P. Kirby, returnable on March 9, 1955, at the offices of Pomerantz, Levy & Haudek, Esqs. |
| 478-B | 4625 | | Transcript submitted by Mr. Pomerantz being the colloquy between counsel in connection with the deposition of Allan P. Kirby in the matter of Sadie Zenn, et al, plaintiffs, against J. J. Anzalone, et al, defendants, in the United District Court, Southern District of New York, consisting of two pages. |
| 479 | 4636 | | Memorandum submitted by Mr. Pomerantz entitled "To: David W. Wallace -- From: Jared C. Horton -- Date: January 4, 1956," containing the initials "JCH" in the lower right hand corner. |

[fol. 1830]

| EXHIBIT | PAGE | DATE | DESCRIPTION |
|---|---|---|---|
| 480 ev. | 4638 | 1/20/56 | Reproduced copy of letter submitted by Mr. Daly, "Letterhead of Securities and Exchange Comm." dtd. Feb. 7, 1955 to White & Case, 14 Wall St., N.Y. re: Alleghany Corp. -- File No. 132-3, consisting of two pages, signed by Harvey A. Thorson, as asst. director, Division of Corporation Finance. |
| | 4640 | | (Exhibit 480 physically withdrawn) |
| 480 ev. | 4643 | | Ozalid copy of copy of letter submitted by Mr. Daly "Securities and Exchange Comm. Washington, D.C." dtd. Jan. 14, 1955, to White & Case, re: Alleghany Corp. -- File No. 1-3644, consisting of 3 pages, signed by Harvey A. Thorson as asst. director, Division of Corp. Finance. |
| 480 id. | 4644 | | Ozalid copy of copy of letter, submitted by Mr. Daly, "Securities and Exchange Commission, Wash. D.C." dtd. January 14, 1955, to White & Case, re: Alleghany Corp. -- file No. 1-2644, consisting of 3 pages, signed by Harvey A. Thorson as asst. director, Division of Corp. Finance, heretofore marked Def. Exhibit 480 in evidence is remarked. |

[fol. 1832]

IN THE UNITED STATES DISTRICT COURT

PLAINTIFFS' EXHIBIT No. 356A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Civil Action No. 92-205

---

SADIE ZENN, *et al.*,

Plaintiffs,

—against—

J. J. ANZALONE, *et al.*, and CLINT W. MURCHISON, JR. and JOHN D. MURCHISON, d/b/a MURCHISON BROTHERS and ALLEGHANY CORPORATION,

Defendants.

---

Deposition of defendant ALLEGHANY CORPORATION by DAVID W. WALLACE, taken by plaintiffs pursuant to notice dated May 20, 1954, at the offices of Messrs. Lord, Day & Lord, 25 Broadway, New York 4, N. Y., on "December 21, 1954," at 10:00 a.m.

[fol. 1833] APPEARANCES:

Messrs. POMERANTZ, LEVY & HAUDEK,
General counsel for plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

By: ABRAHAM L. POMERANTZ, Esq.,
Of Counsel

EDWARD ENDELMAN, Esq.,
Attorney for plaintiff Sadie P. Unger,
225 Broadway,
New York 7, N. Y.

Messrs. Trotta & Spata,
Attorneys for plaintiff Nicholas Schepis,
25 Broad Street,
New York 4, N. Y.

By: Messrs. Nemerov & Shapiro,
111 Broadway,
New York 6, N. Y.

By: Leonard Brunner, Esq.,
Of Counsel

Israel Beckhardt, Esq.,
Attorney for plaintiff Jacob Haimawitz,
18 East 41st Street,
New York 17, N. Y.

Sidney L. Garwin, Esq.,
Attorney for plaintiff Henry Mencher,
225 Broadway,
New York 7, N. Y.

Messrs. Geist & Netter,
Attorneys for plaintiff Carl M. Siroty,
276 Fifth Avenue,
New York 16, N. Y.

By: Carl Leibel, Esq.,
Milton Waxenfeld, Esq.,
Of Counsel

Martin Horowitz, Esq.,
Attorney for plaintiff Joseph Weisman,
259 Broadway,
New York 7, N. Y.

[fol. 1834]
Messrs. Leviss & Gordon,
Attorneys for plaintiff Bernard Lieberman,
36-53 Main Street,
Flushing 54, N. Y.

By: WILLIAM ROSENFELD, Esq.,
122 East 42nd Street,
New York 17, N. Y.

J. E. HOLLENBERG, Esq.,
501 Fifth Avenue,
New York 17, N. Y.
Of Counsel

NORMAN ANNENBERG, Esq.,
Attorney for plaintiff Jeanette Annenberg,
29 Broadway,
New York 4, N. Y.

Messrs. LORD, DAY & LORD,
Attorneys for defendants Robert R. Young,

Thomas J. Deegan, Jr., Andrew Van Pelt and
Allan P. Kirby,
25 Broadway,
New York 4, N. Y.

By: WOODSON D. SCOTT, Esq.,
Of Counsel

PETER GEORGE MARTIN, Esq.,
Attorney for defendant Alleghany Corp.,
25 Broadway,
New York 4, N. Y.

PRESENT:

ERIC J. KLINGER, CPA,
On behalf of plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

---

Mr. Scott: I would like to note for the record that a number of the defendants have not been served and have not appeared. I just make a note of it.

[fol. 1835]

# INDEX

## WITNESSES


| Plaintiffs' | Examination by | Page |
|---|---|---|
| David W. Wallace | Mr. Pomerantz | 6 |


## EXHIBITS


| Plaintiffs' | | For Identification |
|---|---|---|
| 1 | Photostatic copy of note dated March 15, 1954, face amount of $5,000,000, signed by Clint W. Murchison, | 10 |
| 2 | Photostatic copy of note dated March 15, 1954, face amount of $2,500,000, payable to Alleghany Corporation, with provision for signature of Sid W. Richardson, | 10 |
| 3 | Photostatic copy of unsigned letter dated March 15, 1954, to Sid W. Richardson, with typed signature of Allan P. Kirby, consisting of two pages, | 11 |
| 4 | Photostatic copy of letter to Clint W. Murchison, dated March 15, 1954, bearing typed signature "Alleghany Corporation by," byline being blank, consisting of two pages, | 12 |
| 5 | Photostatic copy of letter to Clint W. Murchison, dated March 15, 1954, bearing typed signature "Alleghany Corporation by," relating to 100,000 shares, consisting of three pages, | 13 |

[fol. 1836]

| Plaintiffs' | | For Identification |
|---|---|---|
| 6 | Photostatic copy of letter from Sid W. Richardson, signed by "Alleghany Corporation" with blank byline, relating to 100,000 shares, consisting of three pages, | 13 |
| 7 | Photostatic copy of document entitled "Exhibit A," dated "Blank" day, "Blank" month, 1954, consisting of 11 pages, | 14 |
| 8 | Photostatic copy of letter to Alleghany Corporation, dated April 8, 1954, bearing typed signature of "C. W. Murchison," | 15 |
| 9 | Photostatic copy of letter to Alleghany Corporation, bearing typed signature "Sid W. Richardson," | 17 |
| 10 | Carbon copy of agreement of joint venture between Alleghany Corporation and Murchison Brothers, bearing date July 15, 1954, consisting of seven pages, | 18 |
| 11 | Copy of agreement of joint venture between Alleghany Corporation and Sid W. Richardson, bearing date July 15, 1954, consisting of seven pages, | 18 |
| 12 | Photostatic copy of agreement bearing date July 15, 1954, between Sid W. Richardson and Alleghany Corporation, with annexed Exhibits A and B, consisting of 17 pages, | 19 |

[fol. 1837]

| Plaintiffs' | | For Identification |
|---|---|---|
| 13 | Photostatic copy of agreement dated June 30, 1951, between Murchison Brothers and Alleghany Corporation, with annexed exhibits, consisting of 18 pages, | 19 |
| 14 | Certificate of incorporation of Alleghany Corporation and articles of amendments, | 20 |
| 15 | Copy of by-laws of Alleghany Corporation, as amended, | 20 |
| 16 | Annual report of Alleghany Corporation for year ended December 31, 1949, | 21 |
| 17 | Annual report of Alleghany Corporation for year ended December 31, 1950, | 21 |
| 18 | Annual report of Alleghany Corporation for year ended December 31, 1951, | 21 |
| 19 | Annual report of Alleghany Corporation for year ended December 31, 1952, | 21 |
| 20 | Annual report of Alleghany Corporation for year ended December 31, 1953, | 21 |
| 21A-21R | 18 documents, being income and surplus statements of Alleghany Corporation for varying periods, January 1, 1949 through September 30, 1954, | 22 |

[fol. 1838]

| | | |
|---|---|---|
| 24 | Application and exhibits attached re application before Interstate Commerce Commission under Section 5(2) of Interstate Commerce Act, printed record dated September 17, 1954, | 26 |

| Plaintiffs' | | For Identification |
|---|---|---|
| 25 | Application and exhibits attached re application before Interstate Commerce Commission under Section 5(2) of Interstate Commerce Act, | 27 |
| 26 | Series of sheets, five in number, giving names of directors and officers of Chesapeake Industries, Inc. for 1953 and 1952, and of Pathe Industries, Inc. for 1951, 1950 and 1949, | 28 |

[fol. 1839]

United States District Court

Southern District of New York

Civil Action No. 92-205

Sadie Zenn, *et al.*,

Plaintiffs,

—against—

J. J. Anzalone, *et al.*, and Clint W. Murchison, Jr. and John D. Murchison; d/b/a Murchison Brothers and Alleghany Corporation,

Defendants.

Continued deposition of defendant Alleghany Corporation by David W. Wallace, taken by plaintiffs pursuant to notice dated May 20, 1954, and adjournment, at the offices of Pomerantz, Levy & Haudek, 295 Madison Avenue, New York 17, N. Y., on February 24, 1955, at 10:30 a.m.

[fol. 1840] Appearances:

Messrs. Pomerantz, Levy & Haudek,
General counsel for plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

By: ABRAHAM L. POMERANTZ, Esq.
WILLIAM E. HAUDEK, Esq.,
Of Counsel

ISRAEL BECKHARDT, Esq.,
Attorney for plaintiff Jacob Haimawitz,
18 East 41st Street,
New York 17, N. Y.

SIDNEY L. GARWIN, Esq.,
Attorney for plaintiff Henry Mencher,
225 Broadway,
New York 7, N. Y.

NORMAN ANNENBERG, Esq.,
Attorney for plaintiff Jeanette Annenberg,
29 Broadway,
New York 4, N. Y.
By: ARNE SIEGEL, Esq.,
Of Counsel

Messrs. LORD, DAY & LORD,
Attorneys for defendants Robert R. Young,
Thomas J. Deegan, Jr., Andrew Van Pelt &
Allan P. Kirby,
25 Broadway,
New York 4, N. Y.
By: WOODSON D. SCOTT, Esq.,
Of Counsel

PETER GEORGE MARTIN, Esq.,
Attorney for defendant Alleghany Corporation,
25 Broadway,
New York 4, N. Y.

PRESENT:

ERIC J. KLINGER, CPA,
On behalf of plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

[fol. 1841]

# INDEX

## WITNESS


| Plaintiffs' | Examination by | Page |
|---|---|---|
| David W. Wallace | Mr. Haudek | 36 |


## EXHIBITS


| Plaintiffs' | | For Identification |
|---|---|---|
| 27 | Document purporting to be copy of resolution of executive committee of board of directors of Alleghany Corporation of July 14, 1954 | 58 |
| 28 | Document purporting to be copy of resolution of executive committee of board of directors of Alleghany Corporation, dated July 14, 1954 | 58 |
| 29 and 29A | Notice of meeting of Alleghany Corporation, dated January 14, 1955, together with proxy statement annexed thereto, together with form of proxy | 58 |
| 30 | Document purporting to be copy of articles of incorporation of Investors Diversified Services, Inc., prepared April 20, 1954 | 59 |


[fol. 1842]


| | | |
|---|---|---|
| 31 | Document purporting to be copy of by-laws of Investors Diversified Services, Inc., revised September 17, 1954 | 59 |
| 32 | Document purporting to be copy of amended articles of incorporation of Investors Syndicate of America, Inc., bearing date July 8, 1952 | 59 |

| Plaintiffs' | | For Identification |
|---|---|---|
| 33 | Document purporting to be copy of amended by-laws of Investors Syndicate of America, Inc. | 60 |
| 34 | Document purporting to be copy of amended certificate of incorporation of Investors Mutual, Inc., with amendments down to April 21, 1954 | 60 |
| 35 | Document purporting to be copy of amended by-laws of Investors Mutual, Inc., dated January 18, 1940, with amendments down to April 21, 1954 | 60 |
| 36 | Document purporting to be copy of amended certificate of incorporation of Investors Selective Fund, Inc., dated July 8, 1947 | 61 |
| 37 | Document purporting to be copy of by-laws of Investors Selective Fund, Inc., dated March 3, 1945, with amendments down to April 21, 1954 | 61 |
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| 38 | Document purporting to be copy of amended certificate of incorporation of Investors Stock Fund, Inc., dated July 8, 1947 | 61 |
| 39 | Document purporting to be copy of by-laws of Investors Stock Fund, Inc., dated March 3, 1945, with amendments down to April 2, 1954 | 62 |
| 40A through 40F | Documents purporting to be six copies of annual reports of Investors Syndicate of America, Inc., for years 1948 through 1953, inclusive | 62 |

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| 41A through 41F | Documents purporting to be six annual reports of Investors Diversified Services, Inc. for years 1948 through 1953, inclusive | 62 |
| 42A through 42F | Six booklets purporting to be copies of semi-annual reports of Investors Diversified Services, Inc., dated June 30 for years 1949-1954, inclusive | 62 |
| 43A through 43E | Five booklets purporting to be annual reports of Investors Stock Fund, Inc., for years ended October 31, 1950-1954, inclusive | 63 |
| 44-A through 44-E | Five booklets purporting to be copies of annual reports of Investors Mutual, Inc., for years ended September 30, 1950-1954, inclusive | 64 |
| [fol. 1844] | | |
| 45-A through 45-D | Four booklets purporting to be copies of annual reports of Investors Selective Fund, Inc., for years ended November 30, 1950-1953, inclusive | 64 |
| 46 | Booklet purporting to be copy of semi-annual report of Investors Mutual, Inc., for period ended March 31, 1953 | 64 |
| 47 | Booklet purporting to be copy of semi-annual report of Investors Stock Fund, Inc., for period ended April 30, 1953 | 65 |
| 48 | Booklet purporting to be copy of semi-annual report of Investors Selective Fund, Inc., for period ended May 31, 1953 | 65 |

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| 49A through 49H | Eight documents consisting of financial reports of Investors Mutual, Inc., covering period 1848 to 1954, inclusive | 66 |
| 50A through 50H | Series of financial reports of Investors Stock Fund, Inc., for period 1948-1954, inclusive, comprising eight documents | 66 |
| 51A through 51G | Seven documents consisting of financial reports of Investors Selective Fund, Inc., for period from 1948 to 1952, inclusive | 67 |
| 52 | Semi-annual report for June 30, 1948, of Investors Syndicate of America, Inc. | 67 |
| [fol. 1845] | | |
| 53 | Excerpts from minutes of board meeting of Alleghany Corporation held on December 6, 1949 | 67 |
| 54 | Excerpts of minutes of board meeting of Alleghany Corporation, held on February 24, 1950 | 67 |
| 55 | Excerpts of minutes of annual meeting of stockholders of Alleghany Corporation, held on May 3, 1950 | 68 |
| 56 | Excerpts of minutes of meeting of board of directors of Alleghany Corporation, held on May 18, 1950 | 68 |
| 57 | Minutes of meeting of the executive committee of board of Alleghany Corporation, held on July 13, 1953 | 68 |

| Plaintiffs' | | For Identification |
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| 58 | Letter dated February 1, 1955, from John O. Henry to Mr. Dave Wallace, with attached schedule showing directors and officers of Chesapeake District, Inc. | 69 |
| 59 | Copy of letter from Allan Kirby to Alleghany Corporation, dated January 20, 1950 | 69 |
| 60 | Copy of letter sent by J. J. Anzalone, to Mr. R. A. Lockwood, under date of May 11, 1950 | 69 |

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[fol. 1846]

United States District Court

Southern District of New York

Civil Action No. 92-205

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Sadie Zenn, *et al.*,

Plaintiffs,

—against—

J. J. Anzalone, *et al.*, and Clint W. Murchison, Jr., and John D. Murchison, d/b/a Murchison Brothers and Alleghany Corporation,

Defendants.

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Deposition of Robert R. Young taken by plaintiffs pursuant to notice dated May 20, 1954, and adjournment, at the offices of Messrs. Pomerantz, Levy & Haudek, 295 Madison Avenue, New York 17, N. Y., on March 29, 1955, at 10:00 a.m., before Edward Grant, a Certified Shorthand Reporter and Notary Public within and for the State of New York.

[fol. 1847] APPEARANCES:

Messrs. POMERANTZ, LEVY & HAUDEK,
General counsel for plaintiffs,
295 Madison Avenue,
New York 17, N. Y.
By: WILLIAM E. HAUDEK, Esq.,
Of Counsel

SIDNEY L. GARWIN, Esq.,
Attorney for plaintiff Henry Mencher,
225 Broadway,
New York 7, N. Y.

Messrs. TROTTA & SPATA,
Attorneys for plaintiff Nicholas Schepis,
25 Broadway,
New York 4, N. Y.
By: Messrs. NEMEROV & SHAPIRO,
111 Broadway,
New York 6, N. Y.
By: LEONARD BRUNNER, Esq.,
Of Counsel

Messrs. GEIST & NETTER,
Attorneys for plaintiff Carl M. Siroty,
276 Fifth Avenue,
New York 16, N. Y.
By: MILTON WAXENFELD, Esq.,
Of Counsel

Messrs. LORD, DAY & LORD,
Attorneys for defendants Robert R. Young,
Thomas J. Deegan, Jr., Andrew Van Pelt &
Allan P. Kirby,
25 Broadway,
New York 4, N. Y.
By: THOMAS F. DALY, Esq.,
WOODSON D. SCOTT, Esq.,
Of Counsel

PETER GEORGE MARTIN, Esq.,
Attorney for defendant Alleghany Corporation,
25 Broadway,
New York 4, N. Y.

[fol. 1848] PRESENT:

ERIC J. KLINGER, CPA,
On behalf of plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

DAVID W. WALLACE

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Mr. Haudek: Mr. Scott, shall we have the same stipulations as on Mr. Wallace's examination?

Mr. Scott: Yes.

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ROBERT R. YOUNG, called as a witness by plaintiffs, having first been duly sworn by the Notary Public (Edward Grant) and stating his residence as Ruggles Avenue, Newport, Rhode Island, testified as follows:

Examination by Mr. Haudek:

Q. Mr. Young, you are one of the defendants herein?

A. Yes.

Q. You are chairman of the board of Alleghany Corporation?

A. Yes.

Q. And you have been the chairman since when?

A. May 5, 1937.

Q. That is the time when you and Mr. Kirby came on

* * * * * * *

[fol. 1849]

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## WITNESS


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| | Mr. Pomerantz | 122 |


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| 61 | Page 33 of The New York Times, Friday, April 9, 1954, headed "Why new top direction of the New York Central is so urgently needed" | 145 |


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[fol. 1850]

United States District Court

Southern District of New York

Civil Action No. 92-205

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Sadie Zenn, *et al.*,

Plaintiffs,

—against—

J. J. Anzalone, *et al.*, and Clint W. Murchison, Jr. and John D. Murchison, d/b/a Murchison Brothers and Alleghany Corporation,

Defendants.

---

Continued deposition of Robert R. Young taken by plaintiffs pursuant to notice dated May 20, 1954 and adjournment, at the offices of Messrs. Pomerantz, Levy & Haudek, 295 Madison Avenue, New York 17, N. Y., on March 30,

1955, at 11:40 a.m., before Edward Grant, a Certified Shorthand Reporter and Notary Public within and for the State of New York.

[fol. 1851] APPEARANCES:

Messrs. POMERANTZ, LEVY & HAUDEK,
General counsel for plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

By: ABRAHAM L. POMERANTZ, Esq.,
WILLIAM E. HAUDEK, Esq.,
Of Counsel

SIDNEY L. GARWIN, Esq.,
Attorney for plaintiff Henry Mencher,
225 Broadway,
New York 7, N. Y.

Messrs. TROTTA & SPATA,
Attorneys for plaintiff Nicholas Schepis,
25 Broadway,
New York 4, N. Y.

By: Messrs. NEMEROV & SHAPIRO,
111 Broadway,
New York 6, N. Y.
By: LEONARD BRUNNER, Esq.,
Of Counsel

Messrs. GEIST & NETTER,
Attorneys for plaintiff Carl M. Siroty,
276 Fifth Avenue,
New York 16, N. Y.

By: GEORGE E. NETTER, Esq.,
Of Counsel

Messrs. Lord, Day & Lord,
Attorneys for defendants Robert R. Young,
Thomas J. Deegan, Jr., Andrew Van Pelt and
Allan P. Kirby,
25 Broadway,
New York 4, N. Y.

By: Thomas F. Daly, Esq.,
Woodson D. Scott, Esq.,
Of Counsel

Peter George Martin, Esq.,
Attorney for defendant Alleghany Corporation,
25 Broadway,
New York 4, N. Y.

[fol. 1852] Present:

Eric J. Klinger, CPA,
On behalf of plaintiffs,
295 Madison Avenue,
New York 17, N. Y.

David W. Wallace

Garrard W. Glenn

Charles T. Ireland

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Robert R. Young, resumed the stand and testified further as follows:

Examination (cont'd) by Mr. Pomerantz:

Q. I commenced yesterday's hearing, Mr. Young, with certain events that occurred about a year ago in March, 1954. Just to orient you, I would like to go back a couple of months before that to January 1954 and, more specifically, to the occasion when Alleghany sold its 100,000-odd

share interest in C & O to Cyrus Eaton. Is your mind fixed on that period now?

A. Yes.

Q. At that time or shortly prior to the time of that sale by Alleghany to Eaton, you were, I believe, chairman of the board of the C & O; is that right?

A. Yes.

Q. I think Mr. Tuohy was president of C & O?

. . . . . .

1332-1333
[fol. 1853]

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT NO. 357

(1) Certificate of Incorporation and By-laws of Allegheny as in effect on January 1, 1949, together with amendments since that time to date.

(2) List of Directors and Officers of Allegheny from January 1, 1949 to date, indicating offices held and times of tenure.

(3) List of number of securities of Allegheny owned from time to time since [illegible] to date by Messrs. Young and Kirby, members of their families and their associates.

(4) Annual and interim reports issued by Allegheny to its stockholders from [illegible] to date.

(5) Notices of annual and special stockholders' meetings and proxy statements and other communications in connection therewith issued by Allegheny from [illegible] to date.

(6) Orders issued by the ICC and by the SEC concerning the investment company or carrier status of Allegheny and the control of C&O and of New York Central as well as all applications of Allegheny to the ICC and the SEC in connection therewith.

(7) Any minutes of the Board of Directors of Allegheny or any committee thereof, correspondence, reports, memoranda and opinions dealing with the proposed or actual acquisition of control of or an interest in New York Central.

(8) Agreements, minutes, correspondence, reports, memoranda and opinions dealing with Allegheny's sale of C&O stock.

-1-

(9) Any minutes of the Board of Directors of Allegheny or any committee thereof, any agreements, correspondence, reports, memoranda and opinions dealing with the proposed or actual acquisition by Allegheny, directly or indirectly, of all or any part of the 800,000 New York Central shares owned by C&O.

(10) Any minutes of the Board of Directors of Allegheny or any committee thereof, any agreements, correspondence, reports, memoranda and opinions dealing with

(a) the proposed or actual acquisition by Messrs. Murchison and Richardson of the 800,000 New York Central shares owned by C&O,

(b) the proposed or actual financing of such acquisition.

(11) All minutes of the Board of Directors of Allegheny or any committee thereof, all correspondence, reports, memoranda and opinions dealing with

(a) the granting of loans by Allegheny and Mr. Kirby to Messrs. Murchison and Richardson in connection with their acquisition of New York Central Shares; and the extension or repayment of such loans;

(b) the granting or exercise of options in connection with the above;

(c) the making of joint venture agreements in connection with the above;

(d) the indemnification against loss and the guarantee of income in connection with the above.

(12) All agreements, including drafts thereof and amendments thereto, entered into between Allegheny or Mr. Kirby on the one hand and Messrs. Murchison, Murchison Brothers, and Richardson on the other, dealing with any of the subject matters listed in the paragraph immediately preceding; including, inter alia, the following

[fol. 1855]

DAVIS BLANDON & [illegible]

(a) Notes dated March 28, 1954 of Messrs. Murchison and Richardson respectively to Alleghany and Mr. Kirby respectively, together with any loan agreements and amendments thereof;

(b) Puts granted on March 15, 1954 by Alleghany and Mr. Kirby respectively to Messrs. Murchison and Richardson respectively;

(c) Forms of joint venture agreements attached to the puts mentioned under (b);

(d) Correspondence concerning indemnification and guarantee by Messrs. Murchison and Richardson respectively;

(e) Loan Agreement dated July 15, 1954 between Alleghany and Richardson and Joint Venture Agreement of even date;

(f) Joint Venture Agreement dated July 15, 1954 between Alleghany and Murchison Brothers and any Loan Agreement in connection therewith.

(13) Loan and guaranty Agreements entered into between Alleghany and Murchison Brothers on June 6, 1950, June 23, 1950, and June 1, 1951, as well as all subsequent agreements and amendments.

(14) Joint Venture Agreements entered into between Alleghany and Murchison Brothers on June 6, 1950, June 23, 1950 and June 1, 1951, as well as all subsequent agreements and amendments.

(15) All accountings between Alleghany and Murchison Brothers from 1950 to date concerning the guarantee of income from Alleghany's contributions to joint ventures.

(16) A statement or schedule showing the net gains and losses realized by Alleghany in respect of its contributions to joint ventures with Murchison Brothers from June 6, 1950 to July 15, 1954.

-3-

(17) A statement of [illegible] showing the securities held as of July 15, 1954 under joint ventures between Allegheny and Harriman Brothers, and Allegheny's contributions with respect thereof.

(18) All agreements, minutes, correspondence, budgets, reports, memoranda and opinions, dealing with:

(a) the participation of Allegheny in the New York Central proxy contest;

(b) the proposed or actual allocation of such expenses among Allegheny and the nominees for the New York Central Board;

(c) the proposed or actual reimbursement of such expenses by New York Central;

(d) the advance by Allegheny of the costs of proxy solicitation;

(e) Allegheny's furnishing of a clearing house and clerical headquarters for the proxy contest;

(f) the allocation, if any, of the salaries of Allegheny's executives and employees and of Allegheny's overhead to the expenses of the proxy contest;

(g) the engagement of proxy solicitors and public relations counsel;

(h) the placing of advertisements in connection with the proxy contest;

(i) the placing of advertisements concerning the advantages of competitive bidding or otherwise extolling Messrs. Young and Kirby.

(19) Those of the books and records of Allegheny, its subsidiaries and affiliates, or in lieu thereof a schedule, showing the direct and allocable expenses incurred in connection with the New York Central proxy contest, directly or indirectly, including, inter alia,

(a) advertisements;

(b) stationery;

(c) printing;

(d) [illegible]

(e) public [illegible];

(f) proxy [illegible];

(g) legal and other professional fees, [illegible];

(h) executive salaries;

(i) clerical salaries;

(j) rents;

(k) overhead.

(20) List of number of shares of New York Central owned from time to time by Allegheny and by Messrs. Young, Kirby, members of their families and their associates, indicating in each case date and cost of acquisition and date and proceeds of any disposition.

(21) Certificate of Incorporation and By-Laws of IDS as in effect on January 1, 1947, together with amendments since that time to date.

(22) List of Directors and Officers of IDS from January 1, 1947 to date, indicating offices held and times of tenure.

(23) List of number of securities of IDS owned from time to time by Allegheny, and by Messrs. Young, Kirby, Marvelsen Brothers, members of their families and their associates, indicating in each case date and cost of acquisition and date and proceeds of disposition.

(24) All agreements, minutes, correspondence, memoranda, reports, opinions, news releases and communications to stockholders, concerning Allegheny's acquisition or disposition of securities of IDS.

(25) The minutes of Allegheny's board meeting of December 6, 1946, and all other minutes of the board of directors of Allegheny or any committee thereof, all

PERDON & CO

agreements, correspondence, minutes, reports and opinions, dealing with the proposed or actual exchange of Allegheny securities held by its officers for securities of IDS.

(26) The tenders of Allegheny's preferred stock in exchange for IDS Class A Stock made by Messrs. Young and Kirby respectively, and the acceptances thereof by Allegheny, as well as all minutes, correspondence, memoranda, reports and opinions dealing with such tenders and the acceptance thereof.

(27) Minutes of Allegheny's Board of Directors or any committee thereof, correspondence, memoranda, reports and opinions dealing with Allegheny's stockholders meeting of May 3, 1950 and the notice and proxy material in connection with such meeting, as well as drafts of the proxy statement of April 6, 1950, of the additional statement of April 26, 1950, and of any other proxy material.

(28) Minutes of Allegheny's stockholders' meeting of May 3, 1950.

(29) All agreements, promissory notes, minutes, correspondence, memoranda, reports and opinions dealing with Allegheny's 1953 sale of IDS securities to Murchison Brothers and with the payment and collateralization of the purchase price.

(30) All annual and interim reports issued by IDS and its subsidiaries for the periods 1946 to date.

(31) All communications to the stockholders of Allegheny or IDS and all releases to the public concerning the annual or interim earnings or financial position or concerning the prospects of IDS, its subsidiaries and affiliates, issued during, or referring to, any of the periods 1949, 1950 and 1953.

A... ...ERSON & CO

(32) All annual or interim accountants' reports for IDS and its subsidiaries with respect to any of the periods 1949, 1950 and 1951.

(33) All internal annual, semi-annual, quarterly and monthly financial statements reports and supporting schedules of IDS and its subsidiaries for any of the periods 1947, 1950 and 1951.

(34) All minutes of the Boards of Directors of Allegheny and IDS or of any Committee thereof, correspondence, memoranda, reports and opinions, during the year 194.., the first six months of 1950, and the last six months of ...3, dealing with the earnings, the financial position and the prospects of IDS and its subsidiaries.

(35) All forecasts or budgets concerning IDS and its subsidiaries, prepared by or for the use of Allegheny or IDS and their officers and directors, during the year 194.., the first six months of 19.. and the last six months of 19..

(36) All minutes of the Boards of Directors of IDS and Allegheny or of any Committee thereof, correspondence, memoranda, reports and opinions, during 194.. 194., the first six months of 1950, and the last six months of 19.., concerning the status, expansion, prospects and results of

(a) the mortgage operations of IDS;

( ) the activities of IDS in the financing of stores and shopping centers;

(.) the making and arranging of construction loans;

(.) the income from construction loan fees;

(.) the income from mortgage service fees;

(f) the sale of mortgages and the profits therefrom;

( ) the interest income from mortgages;

(h) the participation of IDS in the FHA programs, such as the so-called Sec. 608, Sec. 207 and Sec. 213 programs.

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(i) the sales of securities of [redacted] subsidiaries and affiliates;

(j) the underwriting and distribution activities of [redacted];

(k) the research and investment management activities of [redacted];

(l) the income from underwriting fees;

(m) the income from management fees.

(37) All agreements or commitments entered into or in effect during the last six months of 1949, the first six months of 1950, and the last six months of 1959, concerning [redacted]'

(a) making and arranging of construction loans and other loans;

(b) construction loan fees;

(c) acquisition or sale of real estate or interests therein;

(d) servicing of mortgages;

(e) disposition of mortgages;

(f) underwriting and distribution of securities;

(g) management services

(38) All minutes of the boards of directors of Allegheny, [redacted], its subsidiaries and affiliates, correspondence, memoranda, reports, and schedules dealing with any of the subject matters listed in the paragraph immediately preceding.

(39) All agreements, commitments, minutes, correspondence, memoranda and reports dealing with [redacted]' participation (directly or indirectly, through [redacted] Projects Corporation or otherwise) in the financing of the Shirley-Duke projects in Alexandria, Virginia and of the Carson Park and Lakewood Park projects in California, and with the acquisition and disposition of real estate and mortgages and the negotiation and collection of construction loan fees and service fees with respect thereto.

[fol. 1861]

(...) Agreements, promissory notes, minutes of the Board of Directors of Allegheny or any committee thereof, correspondence, memoranda, reports and opinions, dealing with the proposed or actual sale of Portsmouth Steel shares by Allegheny to Mr. Neff and the payment and collateralization of the purchase price.

(...) List of directors and officers of Chesapeake Industries from 1950 to date, including offices held and times of tenure.

(...) List of all securities of Chesapeake Industries owned from time to time since 1950 as stated by Messrs. Young, Kirby, and other directors and officers of Allegheny, and members of their families and their associates.

(...) List, dates, prices, and times of shares of Industrial Brownsville,

(...) Any services rendered by Chesapeake to Allegheny in connection with such acquisitions or with Allegheny's ownership of shares of Industrial Brownsville;

(...) Allegheny's sale of its Industrial Brownsville stock to Young, Kirby & Co. & Coke;

(...) Any services rendered by Chesapeake to Allegheny in connection with such sale;

(...) Any payment of commissions to Chesapeake in connection with such sale.

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 362 ID

Investors DIVERSIFIED SERVICES, INC.
Established 1894
MINNEAPOLIS 2, MINNESOTA

July 26, 1954

Mr. R. M. Purcell
Deer Lick Farm
Cape Vincent, N. Y.

Dear Bob:

You will find enclosed a condensed income statement for IDS by quarters for the years 1949 and 1950.

You will note that the sizeable improvement in earnings in 1950 as compared to 1949 were achieved in two areas of our operations. Our mortgage operations show the greatest improvement and there was also a substantial improvement in the investment and certificate servicing operations.

The improvement in our investment and certificate servicing operation was a result of a substantial increase in rate of return on investments together with a substantial decline in the certificate money cost. The improvement in our investment return was the result of liquidating low yield security investments that were acquired during the war years when mortgages were not available and placing the funds in mortgages with a greater return. This program was started sometime prior to 1950 but probably reached its full effect in that year. The decline in money cost was due principally to maturity of the higher cost series of certificates outstanding.

The increase in income from our mortgage operations was due to the substantial increase in building activity that occurred in the latter part of 1949 and 1950. I am attaching a separate schedule showing some of the bigger projects that produced income in 1950 and showing the quarter in which the income was received. Normally we carried on a mortgage operation which consisted of furnishing construction money to builders, charging a fee in addition to the interest for the use of this money. In the latter part of 1949 and in 1950 this program was enlarged and also was extended to our so-called "participation projects" which produced a considerable greater return on the construction funds compared to our previous method of operation. Outside of the change in our method of operation, the one million dollar item on Lakewood Park could be considered of a non-recurring nature. This was really an

Mr. R. W. Purcell

advance settlement of our participation profits on the Lakewood deal and would have appeared in the 1951 income if the settlement had not been made.

I am also enclosing our Summary of Operations for the year 1950 which shows the income statement for that year and for 1949 and also a comparison to a projection made for the year 1950. This projection was most likely completed in January of 1950 which would indicate that we anticipated a considerable improvement in our mortgage operations.

In summarizing, it appears that our stepped up housing activities, the improved investment return and the lowered certificate money cost accounted for most of our improvement. Of these the improvement in our mortgage operations could probably be considered as a non-recurring item as it would be very dependent on the extent of the building activity and also involving a change in our method of operation.

Best regards.

Yours very truly,

N. B. Waag
Vice President & Controller

NBW:ER
Encls.
Air Mail - Sp. Del.

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 363 ID

INVESTORS DIVERSIFIED SERVICES, INC.

CONDENSED STATEMENT OF NET INCOME
FOR YEARS 1949 AND 1950, BY QUARTERS

| | Year 1949 | | | | | Year 1950 | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | First Quarter | Second Quarter | Third Quarter | Fourth Quarter | Total | First Quarter | Second Quarter | Third Quarter | Fourth Quarter | |
| **INVESTMENT AND CERTIFICATE SERVICING OPERATIONS** | | | | | | | | | | |
| **Gross Income** | | | | | | | | | | |
| Interest Income | $2,553,431 | $2,774,266 | $2,734,610 | $2,867,060 | $10,929,367 | $2,918,817 | $2,951,574 | $3,096,949 | $2,771,388 | $ |
| Dividend Income | 249,509 | 255,996 | 236,387 | 240,448 | 982,340 | 215,638 | 221,913 | 194,238 | 224,364 | |
| Certificate Servicing Income | 188,228 | 181,942 | 170,101 | 182,207 | 722,478 | 179,523 | 176,538 | 158,439 | 174,793 | |
| Private Placement Fees | 45,000 | 51,974 | 42,750 | 6,725 | 146,449 | 20,000 | 11,500 | 5,000 | 11,000 | |
| Gross Income | $3,036,168 | $3,264,178 | $3,183,848 | $3,296,440 | $12,780,634 | $3,333,978 | $3,361,525 | $3,454,626 | $3,181,545 | $ |
| **Costs and Expenses** | | | | | | | | | | |
| Certificate Reserve Accumulation Costs | $3,399,970 | $3,102,642 | $2,993,590 | $3,615,183 | $13,111,385 | $3,473,834 | $2,980,860 | $3,165,665 | $3,109,100 | $ |
| Less Recoveries on Terminations | 43,361 | 48,445 | 48,634 | 47,979 | 188,419 | 48,118 | 112,094 | 89,026 | 78,108 | |
| Net Cost | $3,356,609 | $3,054,197 | $2,944,956 | $3,567,204 | $12,922,966 | $3,425,716 | $2,868,766 | $3,076,639 | $3,030,992 | $ |
| Direct Expenses | 99,63 | 72,608 | 90,269 | 129,994 | 392,508 | 90,587 | 86,740 | 76,709 | 88,941 | |
| Home Office and General Expenses - portion | 168,268 | 167,203 | 152,799 | 146,897 | 635,167 | 194,577 | 151,278 | 132,742 | 184,771 | |
| Total Costs and Expenses | $3,624,514 | $3,294,008 | $3,188,024 | $3,844,095 | $13,950,641 | $3,710,880 | $3,106,784 | $3,286,090 | $3,304,704 | $ |
| INCOME FROM INVESTMENT AND SERVICING | $ (588,346) | $ (29,830) | $ (4,176) | $ (547,655) | $(1,170,007) | $ (376,902) | $ 254,741 | $ 168,536 | $ ( 23,159) | |
| **MORTGAGE OPERATIONS** | | | | | | | | | | |
| **Gross Income** | | | | | | | | | | |
| From Subsidiary Companies: | | | | | | | | | | |
| New Loan Fees | $ (25,940) | $ 115,904 | $ 191,967 | $ 165,607 | $ 447,538 | $ 183,401 | $ 227,648 | $ 265,948 | $ 143,399 | $ |
| Service Fees | 116,925 | 114,536 | 124,578 | 132,790 | 488,829 | 147,556 | 158,924 | 170,825 | 182,034 | |
| Dividends on Stock of Mortgage Companies | -0- | -0- | 60,000 | 105,000 | 165,000 | -0- | -0- | -0- | 170,000 | |
| From Others: | | | | | | | | | | |
| Premiums on Sale of Mortgages | 34,284 | 5,166 | 26,767 | 118,843 | 185,060 | 61,854 | 35,865 | 149,159 | 59,942 | |
| Service Fees | 57,468 | 57,005 | 61,503 | 78,589 | 254,565 | 8[illegible],076 | 97,579 | 100,906 | 117,316 | |
| Commissions and Participation Project Fees | 292,942 | 501,484 | 767,313 | 863,074 | 2,424,813 | 1,275,591 | 1,450,830 | 1,284,045 | 2,935,804 | |
| Insurance Commissions and Fees | 58,720 | 85,854 | 125,839 | 93,476 | 363,889 | 140,877 | 173,341 | 75,426 | 138,991 | |
| Gross Income | $ 534,399 | $ 879,949 | $1,357,967 | $1,557,379 | $ 4,329,694 | $1,896,355 | $2,144,187 | $2,046,309 | $3,747,486 | $ |
| **Costs and Expenses** | | | | | | | | | | |
| Branch Office Operating Expense | $ 201,412 | $ 221,607 | $ 244,957 | $ 296,139 | $ 964,115 | $ 306,262 | $ 341,092 | $ 271,515 | $ 359,003 | $ |
| General Mortgage Advertising | 506 | 635 | 348 | 1,188 | 2,677 | 543 | 133 | 298 | 495 | |
| Service Fees - Subsidiary Companies | 33,606 | 34,344 | 35,488 | 64,586 | 168,024 | 44,218 | 41,502 | 38,980 | 59,662 | |
| Service Fees - Others | 55,812 | 73,694 | 75,653 | 62,870 | 268,029 | 43,345 | 44,615 | 39,052 | 43,924 | |
| Commissions and Premiums - Subsidiary Cos. | 31,770 | 29,392 | 39,824 | 35,653 | 136,639 | 32,549 | 33,418 | 21,677 | 6,757 | |
| Commissions and Premiums - Others | 4,562 | 28,316 | 10,869 | 21,148 | 64,895 | 16,870 | 16,563 | 20,031 | 18,982 | |
| [illegible] | 44,415 | 221,311 | 77,618 | 118,593 | 461,937 | 258,927 | (434) | (24,[illegible]) | (12,[illegible]) | |

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 363 Id

| | Year 1950 | | | | |
|---|---|---|---|---|---|
| | First Quarter | Second Quarter | Third Quarter | Fourth Quarter | Total |
| 7 | $2,918,817 | $2,951,574 | $3,096,949 | $2,771,388 | $11,738,728 |
| 0 | 215,638 | 221,913 | 194,238 | 224,364 | 856,153 |
| 8 | 179,523 | 176,538 | 158,439 | 174,793 | 689,293 |
| 9 | 20,000 | 11,500 | 5,000 | 11,000 | 47,500 |
| 4 | $3,333,978 | $3,361,525 | $3,454,626 | $3,181,545 | $13,331,674 |
| 5 | $3,473,834 | $2,980,860 | $3,165,665 | $3,109,100 | $12,729,459 |
| 9 | 48,118 | 112,094 | 89,026 | 78,108 | 327,346 |
| 6 | $3,425,716 | $2,868,766 | $3,076,639 | $3,030,992 | $12,402,113 |
| 8 | 90,587 | 86,740 | 76,709 | 88,941 | 342,977 |
| 7 | 194,577 | 151,278 | 132,742 | 184,771 | 663,368 |
| 1 | $3,710,880 | $3,106,784 | $3,286,090 | $3,304,704 | $13,408,458 |
| 7) | $ (376,902) | $ 254,741 | $ 168,536 | $ ( 23,159) | $ (76,784 |
| 3 | $ 183,401 | $ 227,648 | $ 265,948 | $ 143,399 | $ 820,396 |
| 9 | 147,556 | 158,924 | 170,825 | 182,034 | 659,339 |
| 0 | -0- | -0- | -0- | 170,000 | 170,000 |
| 0 | 61,854 | 35,865 | 149,159 | 59,942 | 306,820 |
| 5 | 8,076 | 97,579 | 100,906 | 117,316 | 402,877 |
| 3 | 1,275,591 | 1,450,830 | 1,284,045 | 2,935,804 | 6,946,270 |
| 2 | 140,877 | 173,341 | 75,426 | 138,991 | 528,635 |
| 4 | $1,896,355 | $2,144,187 | $2,046,309 | $3,747,486 | $ 9,834,337 |
| 5 | $ 306,262 | $ 341,092 | $ 271,515 | $ 359,003 | $ 1,277,872 |
| 7 | 543 | 133 | 298 | 495 | 1,469 |
| 4 | 44,218 | 41,502 | 38,980 | 59,662 | 184,362 |
| 9 | 43,345 | 44,615 | 39,052 | 43,924 | 170,936 |
| 9 | 32,549 | 33,418 | 21,677 | 6,757 | 94,401 |
| 5 | 16,870 | 16,563 | 20,031 | 18,982 | 72,446 |
| 3 | 258,927 | (434) | (24,[illegible]) | (13,[illegible]) | [illegible]20,709 |
| 8 | 24,715 | 45,928 | 1,374 | 78,134 | 150,151 |

INVESTORS DIVERSIFIED SERVICES, INC.

CONDENSED STATEMENT OF NET INCOME
FOR YEARS 1949 AND 1950, BY QUARTERS

[fol. 1865]

| | Year 1949 | | | | | Year 1950 | | | |
|---|---|---|---|---|---|---|---|---|---|
| | First Quarter | Second Quarter | Third Quarter | Fourth Quarter | Total | First Quarter | Second Quarter | Third Quarter | Fourth Quarter |
| **MANAGEMENT OPERATIONS** | | | | | | | | | |
| Gross Income | | | | | | | | | |
| Management Fees - subsidiary companies | $ 44,565 | $ 53,452 | $ 55,477 | $ 55,479 | $ 208,973 | $ 45,662 | $ 45,814 | $ 42,263 | $ 40, |
| Management Fees - affiliated fund companies | 184,039 | 108,13[illegible] | 176,167 | 239,084 | 707,427 | 257,872 | 2[illegible]5,769 | 298,239 | 306, |
| Total Gross Income | $ 228,604 | $ 161,589 | $ 231,644 | $ 294,563 | $ 916,400 | $ 303,534 | $ 321,583 | $ 340,502 | $ 347, |
| Costs and Expenses | | | | | | | | | |
| Home Office and general expenses - portion | 92,937 | 92,093 | 87,693 | 86,599 | 359,322 | 88,770 | 100,494 | 132,899 | 139, |
| INCOME FROM MANAGEMENT OPERATIONS | $ 135,667 | $ 69,496 | $ 143,951 | $ 207,964 | $ 557,078 | $ 214,764 | $ 221,089 | $ 207,603 | $ 208, |
| **DISTRIBUTION OPERATIONS** | | | | | | | | | |
| Net Distribution Fees | | | | | | | | | |
| Subsidiary Company | | | | | | | | | |
| Distribution Fees | $1,102,922 | $1,203,773 | $ 989,707 | $1,176,600 | $ 4,473,002 | $1,123,167 | $1,304,404[illegible] | $1,133,821 | $1,348, |
| Commissions Paid | 687,879 | 759,904 | 616,464 | 736,578 | 2,800,825 | 703,105 | 833,740 | 722,479 | 858, |
| Net Fees | $ 415,043 | $ 443,869 | $ 373,243 | $ 440,022 | $ 1,672,177 | $ 420,062 | $ 470,664 | $ 411,342 | $ 489, |
| Affiliated Company | | | | | | | | | |
| Distribution Fees | $ 684,338 | $ 752,656 | $ 787,342 | $ 932,112 | $ 3,156,448 | $1,090,294 | $1,128,412 | $1,158,180 | $1,279, |
| Commissions Paid | 427,237 | 483,568 | 489,581 | 576,055 | 1,976,441 | 681,479 | 700,854 | 718,424 | 793, |
| Net Fees | $ 257,101 | $ 269,088 | $ 297,761 | $ 356,057 | $ 1,180,007 | $ 408,815 | $ 427,558 | $ 439,756 | $ 485, |
| Total Net Fees | $ 672,144 | $ 712,957 | $ 671,004 | $ 796,079 | $ 2,852,184 | $ 828,877 | $ 898,222 | $ 851,098 | $ 975, |
| Other Costs and Expenses | | | | | | | | | |
| Incentive Pay to Sales Representatives | $ 67,581 | $ 70,231 | $ 49,190 | $ 118,742 | $ 305,744 | $ 87,106 | $ 87,107 | $ 72,480 | $ 153, |
| Sales Agency Collection Fees and Expenses | 41,588 | 69,345 | 62,446 | 60,328 | 233,707 | 73,790 | 123,556 | 157,841 | 152, |
| Advertising, Sales Promotion and Other Expenses | 101,671 | 132,502 | 123,975 | 117,733 | 475,881 | 140,135 | 155,274 | 143,469 | 185, |
| Home Office and General Expenses - Portion | 102,137 | 117,650 | 107,827 | 129,846 | 457,460 | 129,552 | 121,391 | 131,850 | 133, |
| Total Costs and Expenses | $ 312,977 | $ 389,728 | $ 343,438 | $ 426,649 | $ 1,472,792 | $ 430,583 | $ 487,328 | $ 505,640 | $ 624, |
| INCOME FROM DISTRIBUTION OPERATIONS | $ 359,167 | $ 323,229 | $ 327,566 | $ 369,430 | $ 1,379,392 | $ 398,294 | $ 410,894 | $ 345,458 | $ 351, |
| Home Office and general expenses - portion not allocated to specific operations | $ 103,034 | $ 151,465 | $ 95,137 | $ 212,152 | $ 561,788 | $ 90,936 | $ 125,744 | $ 121,561 | $ 108, |
| INCOME FROM OPERATIONS | $ (223,922) | $ 266,774 | $1,042,963 | $ 429,586 | $ 1,515,401 | $1,100,468 | $2,176,375 | $2,073,643 | $3,249, |
| Income credits (charges) | (28) | - | (106,276) | (6,825) | (113,129) | (3,812) | 62,362 | (7,202) | 82, |
| INCOME BEFORE INCOME TAXES AND PROFIT (LOSS) ON INVESTMENT TRANSACTIONS | $ (223,950) | $ 266,774 | $ 936,687 | $ 422,761 | $ 1,402,272 | $1,096,656 | $2,238,737 | $2,066,441 | $3,332, |
| **PROFIT (LOSS) ON INVESTMENT TRANSACTIONS** | | | | | | | | | |
| Securities | $ - | $ (112,591) | $ (516,552) | $ (52,790) | $ (681,933) | $ (171,204) | $ 81,002 | $ 3,338 | $ 9, |
| Real Estate | 1,256 | (76) | 2,874 | 2,214 | 6,268 | 41 | 4,256 | 1,338 | (33, |
| Total | $ 1,256 | $ (112,667) | $ (513,678) | $ (50,576) | $ (675,665) | $ (171,163) | $ 85,258 | $ 4,676 | $ (24, |

| | Year 1950 | | | |
|---|---|---|---|---|
| | Second Quarter | Third Quarter | Fourth Quarter | Total |
| | $ 45,814 | $ 42,263 | $ 40,876 | $ 174,( |
| | 275,769 | 298,239 | 306,509 | 1,138, |
| | $ 321,583 | $ 340,502 | $ 347,385 | $ 1,313, |
| ) | 100,494 | 132,899 | 139,027 | 461, |
| | $ 221,089 | $ 207,603 | $ 208,358 | $ 851,( |
| ? | $1,304,404 | $1,133,821 | $1,348,031 | $ 4,909,1 |
| 5 | 833,740 | 722,479 | 858,136 | 3,117,1 |
| 2 | $ 470,664 | $ 411,342 | $ 489,895 | $ 1,791,9 |
| + | $1,128,412 | $1,158,180 | $1,279,269 | $ 4,656,1 |
| 9 | 700,854 | 718,424 | 793,698 | 2,894,4 |
| 5 | $ 427,558 | $ 439,756 | $ 485,571 | $ 1,761,7 |
| 7 | $ 898,222 | $ 851,098 | $ 975,466 | $ 3,553,6 |
| 6 | $ 87,107 | $ 72,480 | $ 153,481 | $ 400,1 |
| 0 | 123,556 | 157,841 | 152,314 | 507,5 |
| 5 | 155,274 | 143,469 | 185,132 | 624,0 |
| 2 | 121,391 | 131,850 | 133,409 | 516,2 |
| 3 | $ 487,328 | $ 505,640 | $ 624,336 | $ 2,047,8 |
| 4 | $ 410,894 | $ 345,458 | $ 351,130 | $ 1,505,7 |
| 6 | $ 125,744 | $ 121,561 | $ 108,567 | $ 446,8 |
| 8 | $2,176,375 | $2,073,643 | $3,249,634 | $ 8,600,1 |
| 2) | 62,362 | (7,202) | 82,763 | 134,1 |
| 6 | $2,238,737 | $2,066,441 | $3,332,397 | $ 8,734,2 |
| 4) | $ 81,002 | $ 3,338 | $ 9,012 | $ (77,8 |
| 1 | 4,256 | 1,338 | (33,270) | (27,6 |
| 3) | $ 85,258 | $ 4,676 | $ (24,258) | $ (105,4 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Gross Income | $ 534,399 | $ 879,949 | $1,357,967 | $1,557,379 | $ 4,329,694 | $1,896,355 | $2,144,187 | $2,046,309 | $3,747,486 |
| Costs and Expenses | | | | | | | | | |
| Branch Office Operating Expense | $ 201,412 | $ 221,607 | $ 244,957 | $ 296,139 | $ 964,115 | $ 306,262 | $ 341,092 | $ 271,515 | $ 359,003 |
| General Mortgage Advertising | 506 | 635 | 348 | 1,188 | 2,677 | 543 | 133 | 298 | 495 |
| Service Fees - Subsidiary Companies | 33,606 | 34,344 | 35,488 | 64,586 | 168,024 | 44,218 | 41,502 | 38,980 | 59,662 |
| Service Fees - Others | 55,812 | 73,694 | 75,653 | 62,870 | 268,029 | 43,345 | 44,515 | 39,052 | 43,924 |
| Commissions and Premiums - Subsidiary Cos. | 31,770 | 29,392 | 39,824 | 35,653 | 136,639 | 32,549 | 33,418 | 21,677 | 6,757 |
| Commissions and Premiums - Others | 4,562 | 28,316 | 10,869 | 21,148 | 64,895 | 16,870 | 16,563 | 20,031 | 18,982 |
| F.N.M.A. Commitment Fees | 44,415 | 221,311 | 77,618 | 118,593 | 461,937 | 258,927 | (434) | (24,[illegible]) | (13,[illegible]) |
| Servicing Contract Cancellation Fees | 4,788 | 3,826 | - | 133,744 | 142,358 | 24,715 | 45,928 | 1,374 | 78,134 |
| Home Office and General Expense - portion | 184,904 | 211,480 | 202,451 | 211,459 | 810,294 | 213,[illegible]8 | 205,975 | 204,056 | 272,160 |
| Total Costs and Expenses | $ 561,775 | $ 824,605 | $ 687,208 | $ 945,380 | $ 3,018,968 | $ 941,107 | $ 728,792 | $ 572,702 | $ 825,614 |
| INCOME FROM MORTGAGE OPERATIONS | $ ([illegible]376) | $ 55,344 | $ 670,759 | $ 611,999 | $ 1,310,726 | $ 955,248 | $1,415,395 | $1,473,607 | $2,921,872 |

| | | | | |
|---|---|---|---|---|
| $ 306,262 | $ 341,092 | $ 271,515 | $ 359,003 | $ 1,277,872 |
| 543 | 133 | 298 | 495 | 1,469 |
| 44,218 | 41,502 | 38,980 | 59,662 | 184,362 |
| 43,345 | 44,615 | 39,052 | 43,924 | 170,936 |
| 32,549 | 33,418 | 21,677 | 6,757 | 94,401 |
| 16,870 | 16,563 | 20,031 | 18,982 | 72,446 |
| 258,927 | (434) | (24,[illegible]) | (13,[illegible]) | [illegible]20,709 |
| 24,715 | 45,928 | 1,374 | 78,134 | 150,151 |
| 213,678 | 205,975 | 204,056 | 272,160 | 895,869 |
| $ 941,107 | $ 728,792 | $ 572,702 | $ 825,614 | $ 3,068,215 |
| $ 955,248 | $1,415,395 | $1,473,607 | $2,921,872 | $ 6,766,122 |

| | | | | |
|---|---|---|---|---|
| $ [illegible] | $ [illegible] | $ [illegible] | $ [illegible] | $ [illegible] |
| $1,100,468 | $2,176,375 | $2,073,643 | $3,249,634 | $ 8,600,1 |
| (3,812) | 62,362 | (7,202) | 82,763 | 134,1 |
| $1,096,656 | $2,238,737 | $2,066,441 | $3,332,397 | $ 8,734,2 |
| $ (171,204) | $ 81,002 | $ 3,338 | $ 9,012 | $ (77,8 |
| 41 | 4,256 | 1,338 | (33,270) | (27,6 |
| $ (171,163) | $ 85,258 | $ 4,676 | $ (24,258) | $ (105,4 |
| $ 925,493 | $2,323,995 | $2,071,117 | $3,308,139 | $ 8,628,74 |
| 294,276 | 613,625 | 855,650 | 828,449 | 2,592,00 |
| $ 631,217 | $1,710,370 | $1,215,467 | $2,479,690 | $ 6,036,744 |
| 7,823 | 482,149 | 297,203 | (369,508) | 417,667 |
| $ 639,040 | $2,192,519 | $1,512,670 | $2,110,182 | $ 6,454,411 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Allocated to specific operations | $ 103,034 | $ 124,302 | $ 27,131 | $ 44,247 | $ 298,714 | $ 297,180 | $ 213,933 | $ 73,441 | $ 584,554 |
| INCOME FROM OPERATIONS | $ (223,922) | $ 266,774 | $1,042,963 | $ 429,586 | $ 1,515,401 | $1,100,468 | $2,176,375 | $2,073,643 | $3,249,634 |
| Income credits (charges) | (28) | - | (106,276) | (6,825) | (113,129) | (3,812) | 62,362 | (7,202) | 82,763 |
| INCOME BEFORE INCOME TAXES AND PROFIT (LOSS) ON INVESTMENT TRANSACTIONS | $ (223,950) | $ 266,774 | $ 936,687 | $ 422,761 | $ 1,402,272 | $1,096,656 | $2,238,737 | $2,066,441 | $3,332,397 |
| PROFIT (LOSS) ON INVESTMENT TRANSACTIONS | | | | | | | | | |
| Securities | $ - | $ (112,591) | $ (516,552) | $ (52,790) | $ (681,933) | $ (171,204) | $ 81,002 | $ 3,338 | $ 9,012 |
| Real Estate | 1,256 | (76) | 2,874 | 2,214 | 6,268 | 41 | 4,256 | 1,338 | (33,270) |
| Total | $ 1,256 | $ (112,667) | $ (513,678) | $ (50,576) | $ (675,665) | $ (171,163) | $ 85,258 | $ 4,676 | $ (24,258) |
| INCOME BEFORE INCOME TAXES | $ (222,694) | $ 154,107 | $ 423,009 | $ 372,185 | $ 726,607 | $ 925,493 | $2,323,995 | $2,071,117 | $3,308,139 |
| PROVISION FOR INCOME TAXES | - | 10,500 | 166,500 | 147,000 | 324,000 | 294,276 | 613,625 | 855,650 | 828,449 |
| NET INCOME | $ (222,694) | $ 143,607 | $ 256,509 | $ 225,185 | $ 402,607 | $ 631,217 | $1,710,370 | $1,215,467 | $2,479,690 |
| Share of Undistributed Earnings of Subsidiaries | 221,396 | 338,642 | 153,603 | 249,237 | 962,878 | 7,823 | 482,149 | 297,203 | (369,508) |
| Total | $ (1,298) | $ 482,249 | $ 410,112 | $ 474,422 | $ 1,365,485 | $ 639,040 | $2,192,519 | $1,512,670 | $2,110,182 |

[fol. 1866]

IN THE UNITED STATES DISTRICT COURT

PLAINTIFFS' EXHIBIT NO. 364 ID

INVESTORS DIVERSIFIED SERVICES, INC.

Analysis, by quarters, of the larger items included in
"Commissions and participation project fees"
Year Ended December 31, 1950

| | | Total 1950 | 1st quarter 1950 | 2nd quarter 1950 | 3rd quarter 1950 | 4th quarter 1950 |
|---|---|---|---|---|---|---|
| **Los Angeles** | | | | | | |
| Lakewood Park | Housing Project | $ 718,118.40 | $ 202,154.70 | $ 156,814.50 | $ 86,358.26 | $ 272,790.94 |
| Encino Park | Housing Project | 202,459.80 | 184,458.10 | 18,001.70 | | |
| Encino Park #2 | Housing Project | 132,000.00 | | 39,900.00 | 57,004.49 | 35,095.51 |
| Lakewood Park | Sale of partnership interest | 1,000,000.00 | | | | 1,000,000.00 |
| Westchester Park | Housing Project | 108,500.00 | | 108,500.00 | | |
| | | 2,161,078.20 | 386,612.80 | 323,216.20 | 143,362.75 | 1,307,886.45 |
| **Washington, D. C.** | | | | | | |
| Shirley Duke | 608 Project | 707,646.71 | 228,669.62 | 189,721.61 | 211,578.33 | 77,677.15 |
| Glenmont Forest | Housing Project | 165,232.47 | | | 111,972.47 | 53,260.00 |
| | | 872,879.18 | 228,669.62 | 189,721.61 | 323,550.80 | 130,937.15 |
| **Miami** | | | | | | |
| Bunche Park | Housing Project | 526,306.30 | | 251,487.67 | 84,217.49 | 190,601.14 |
| L. B. Corporation | Housing Project | 255,214.25 | | | | 255,214.25 |
| | | 781,520.55 | | 251,487.67 | 84,217.49 | 445,815.39 |
| **Cleveland** | | | | | | |
| d | | | | | | |
| Parkway Gardens | 608 Project | 286,061.88 | | 66,293.24 | 92,444.32 | 127,324.32 |
| | | 4,101,539.81 | 615,282.42 | 830,718.72 | 643,575.36 | 2,011,963.31 |

INVESTORS DIVERSIFIED SERVICES, INC.
COMMENTS ON OPERATIONS
DECEMBER, 1950

## CONDENSED FINANCIAL INFORMATION

| | December 31, 1950 | December 31, 1949 | Increase (Decrease) |
|---|---|---|---|
| Total Assets | $290,127,160 | $289,458,593 | $ 668,567 |
| Certificate Reserves | 278,496,450 | 283,959,496 | (5,463,046) |
| Earned Surplus | 1,895,746 | Nil | 1,895,746 |
| Reserve for Contingencies | 3,000,000 | 1,442,984 | 1,557,016 |
| Security Investments: | | | |
| Book Value | $ 38,165,324 | $ 53,691,796 | ($15,526,472) |
| Market Value | 36,518,098 | 51,140,350 | (14,622,252) |
| Excess of Book Value over Market Value | $ 1,647,226 | $ 2,551,446 | $ (904,220) |
| Per Cent of Excess to Book Value | 4.32% | 4.75% | 5.82% |

| | Year Ending December 31 | | Increase |
|---|---|---|---|
| | 1950 | 1949 | (Decrease) |
| Income before income taxes and realized profits or losses on sales of investments | $8,734,232 | $1,402,272 | $7,331,960 |
| Provision for income taxes | 2,592,000 | 324,000 | 2,268,000 |
| Income before realized profits or losses on sales of investments | $6,142,232 | $1,078,272 | $5,063,960 |
| Realized profit (loss) on sales of investments | $ (105,487) | $ (675,665) | $ 570,178 |
| Share of increase in net assets of subsidiaries credited direct to earned surplus | $ 417,666 | $ 962,878 | $ (545,212) |

## INCOME

Increase in income (before profit (loss) on investment transactions) for the year 1950 over 1949 was accounted for as follows:

| | 1950 | 1949 | Increase (Decrease) |
|---|---|---|---|
| 1. Income from investments and certificate servicing | $ (71,517) | ($1,139,510) | $1,067,993 |
| 2. Income from mortgage operations | 6,761,179 | 1,280,229 | 5,480,950 |
| 3. Income from management operations | 851,814 | 557,078 | 294,736 |
| 4. Income from distribution operations | 1,505,776 | 1,379,392 | 126,384 |
| 5. General and administrative expenses not allocated to specific operations | (446,808) | (561,788) | 114,980 |
| 6. Income credits and charges | 133,788 | (113,129) | 246,917 |
| 7. Provision for income taxes | (2,592,000) | (324,000) | (2,268,000) |
| Income before profit (loss) on investment transactions | $6,142,232 | $1,078,272 | $5,063,960 |

[fol. 1868]

1. Investment and Certificate Servicing Income

Increase in income from this source of $1,067,993 over 1949 was accounted for as follows:

| | |
|---|---|
| Increase in investment income | $ 683,174 |
| Decrease in certificate money cost | 520,853 (1) |
| Increase in gross margin | $1,204,027 |
| Decrease in certificate servicing income | (32,861) |
| Decrease in private placement fees | (98,949) |
| Increase in direct and general and administrative expense | (4,224) |
| Total increase | $1,067,993 |

(1) 1950 was on an accrual basis - 1949 on an appropriation basis. If 1949 were placed on an accrual basis, the decrease in certificate money cost would have been $88,263 more than the amount shown above.

GROSS RETURN ON ASSETS

Increase in investment income is principally the result of an increase in yield on securities and mortgages and increased per cent of total assets invested in mortgages which yield a higher return, as set forth in the following table.

| | Average Balances (000 omitted) | | | | Gross Rate of Return | |
|---|---|---|---|---|---|---|
| | 1950 | | 1949 | | 1950 | 1949 |
| | Amount | % | Amount | % | % | % |
| Securities | $ 45,477 | 15.587% | $ 58,998 | 20.431% | 3.994% | 3.675% |
| Mortgages | 214,089 | 73.377 | 200,955 | 69.591 | 4.734 | 4.564 |
| Certificate loans | 11,877 | 4.070 | 10,520 | 3.643 | 5.137 | 5.215 |
| Real estate | 373 | .128 | 386 | .134 | (6.182) | (8.961) |
| Notes receivable | 1,333 | .457 | 1,184 | .410 | 4.647 | 4.559 |
| Total invested assets | $273,149 | 93.619% | $272,043 | 94.209% | 4.613% | 4.377% |
| Cash and other assets | 18,618 | 6.381 | 16,723 | 5.791 | | |
| Total assets | $291,767 | 100.000% | $288,766 | 100.000% | 4.319% | 4.124% |

COST OF CERTIFICATE MONEY

Decrease in cost of certificate money was due to reduction in rate of cost, as shown in the following schedule:

| | Average Balance (000 omitted) | | Rate of Cost to Average Balance | |
|---|---|---|---|---|
| | 1950 | 1949 | 1950 | 1949 |
| Installment certificates - gross | $263,230 | $259,490 | 4.587% | 4.768% |
| Less reserve recoveries on terminations | | | .124 | .073 |
| Installment certificates - net | | | 4.463% | 4.695%(1) |
| Advance Payments | 12,153 | 14,121 | 2.530 | 2.633 |
| Fully Paid Certificates | 8,670 | 9,064 | 3.994 | 4.049 |
| Combined | $284,053 | $282,675 | 4.366% | 4.572%(1) |

(1) 1949 was not on the accrual basis. If on an accrual basis the net rate of cost on installment certificates would have been 4.657% and the combined rate on all certificates 4.538%.

1348

In addition to the gross rate of return on invested assets and cost of certificate money, the relationship of earnings on invested assets to certificate reserves is important as it reflects the relationship of total invested assets to certificate reserves. The following table shows the per cent of gross investment income to certificate reserves and comparison to rate of cost of certificate money:

| | 1950 | 1949 |
|---|---|---|
| Per cent of gross investment income to certificate reserves | 4.436% | 4.212% |
| Cost of certificate money | 4.366 | 4.572 (1) |
| Gross margin | .070% | (.360)% |

(1) See note to schedule "Cost of Certificate Money".

CERTIFICATES OUTSTANDING

| | December 31, 1950 | | December 31, 1949 | | Increase or (Decrease) | |
|---|---|---|---|---|---|---|
| | No. of Accts. | Mat.Val. (in Thou.) | No. of Accts. | Mat.Val. (in Thou.) | No. of Accts. | Mat.Val. (in Thou.) |
| Installment Certs. | | | | | | |
| Regular | 142,049 | $394,635 | 159,160 | $440,880 | (17,111) | ($46,245) |
| Ext. Maturity | 38 | 376 | -0- | -0- | 38 | 376 |
| Fully Paid Certs. | 15,000 | 9,287 | 16,601 | 9,945 | (1,601) | (658) |
| Total | 157,087 | $404,298 | 175,761 | $450,825 | (18,674) | ($46,527) |

INSTALLMENT CERTIFICATES TERMINATED

(000 omitted)

| | 1950 | | 1949 | |
|---|---|---|---|---|
| | Face Amount | % to Average In Force | Face Amount | % to Average In Force |
| Maturities: | | | | |
| For Cash | $27,139 | 6.499% | $15,388 | 3.357% |
| Optional Settlements taken | 260 | .062 | 31 | .007 |
| Extended Maturity taken | 321 | .077 | -0- | - |
| Surrendered for cash | 16,277 | 3.898 | 16,586 | 3.619 |
| Suspended due to default in payments (less reinstatements): | | | | |
| With no cash value | (354) | (.085) | (138) | (.030) |
| With attained cash value | 1,579 | .378 | 1,836 | .400 |
| Transfers to Paid Up or Optional Settlement prior to maturity | 781 | .187 | 1,190 | .260 |
| Death and Disability Option taken | 377 | .090 | 585 | .127 |
| Total | $46,380 | 11.106% | $35,478 | 7.740% |

2. Mortgage Operations

Income from mortgage operations for the year 1950 was $6,761,179 compared to $1,280,229 for 1949, an increase of $5,490,950. Gross income increased $5,504,643, principally in commissions and participation project fees. Costs and expenses increased $23,693, as follows:

| | | | |
|---|---|---|---|
| Increases - | Branch office operating expense | $295,765 | |
| | General and administrative expense | 85,575 | $381,340 |
| Decreases - | FNMA commitment fees | $241,228 | |
| | Service fees | 80,755 | |
| | Miscellaneous (net) | 35,664 | 357,647 |
| Net increase | | | $ 23,693 |



[fol. 1869]

1869

1349

[fol. 1870]

## STATISTICAL INFORMATION

(000 Omitted)

| | Dec. 31, 1950 | Dec. 31, 1949 |
|---|---|---|
| **I.D.S. MORTGAGE PORTFOLIO** | | |
| Investment in Fully Funded Loans | $181,283 | $174,506 |
| Investment in Construction Loans | 34,216 | 34,306 |
| TOTAL | $215,499 | $208,812 |
| **MORTGAGES SERVICED FOR OTHERS** | | |
| Subsidiary Companies | $146,348 | $110,762 |
| Others | 139,721 | 81,487 |
| TOTAL | $286,069 | $192,249 |
| **OUTSTANDING COMMITMENTS** | | |
| Amount Remaining to be Disbursed on Construction Loans | $ 32,011 | $ 40,503 |
| Firm Commitments | 17,290 | 27,642 |
| Tentative Commitments | 19,022 | 49,676 |
| TOTAL | $ 68,323 | $117,821 |

| | 1950 | 1949 | Increase (Decrease) |
|---|---|---|---|
| NEW LOANS MADE (DOLLARS DISBURSED - 000 omitted) | $287,784 | $181,014 | $106,770 |

3. Management Operations

Income from management operations for the year 1950 was $851,814 compared to $557,078 in 1949, an increase of $294,736. Gross income increased $396,604, while expenses increased $101,868. Total investments managed were as follows:

| | Dec. 31, 1950 | Dec. 31, 1949 | Increase (Decrease) |
|---|---|---|---|
| Subsidiary Companies: | | | |
| Investors Syndicate of America, Inc. | $ 20,680,575 | $ 29,598,828 | $(8,918,253) |
| Investors Syndicate of Canada, Ltd. | 11,441,463 | 11,079,484 | 361,979 |
| Affiliated Funds: | | | |
| Investors Mutual, Inc. | 229,746,048 | 168,124,308 | 61,621,740 |
| Investors Stock Fund | 16,765,397 | 10,854,459 | 5,910,938 |
| Investors Selective Fund | 6,519,307 | 1,484,555 | 5,034,752 |
| TOTAL | $285,152,790 | $221,141,634 | $64,011,156 |

4. Distribution Operators

Income from distribution operations for the year 1950 was $1,505,776 compared to $1,379,392 in 1949, an increase of $126,384. Gross income, consisting entirely of distribution fees, increased $1,936,128. Costs and expenses increased $1,809,744, as follows:

| | |
|---|---|
| Commissions paid | $1,234,649 |
| Sales agency fees and expenses | 273,794 |
| Provision for incentive pay | 94,430 |
| Advertising and Sales promotion | 92,911 |
| Miscellaneous | 113,960 |
| | $1,809,744 |

1350



1870

Sales on which distribution fees were received were as follows:

(000 omitted)

| | 1950 | | 1949 | | Increase (Decrease) | |
|---|---|---|---|---|---|---|
| | Sales | Net Fee(1) | Sales | Net Fee(1) | Sales | Net Fee |
| **Subsidiary Companies (face amount)** | | | | | | |
| ISA, Inc. | $161,659 | $1,792 | $143,898 | $1,672 | $17,761 | $120 |
| **Affiliated Funds (offering price)** | | | | | | |
| Investors Mutual, Inc. | $ 62,169 | $1,562 | $ 44,445 | $1,101 | $17,724 | $461 |
| Investors Stock Fund | 5,927 | 130 | 3,596 | 79 | 2,331 | 51 |
| Investors Selective Fund | 5,907 | 70 | 155 | - | 5,752 | 70 |
| Total Funds | $74,003 | $1,762 | $ 48,196 | $1,180 | $25,807 | $582 |

(1) Gross fee less commissions paid to sales force.

5. General and Administrative Expense.

This represents general expenses not directly allocable to any of the specific operations. Such expense was $446,808 for 1950 compared to $561,788 for 1949 a decrease of $114,980.

## PROFIT (LOSS) ON INVESTMENT TRANSACTIONS

During 1950, loss on sale or exchange of investments was $105,487, compared with $675,665 in 1949. This may be analyzed as follows:

| | 1950 | 1949 |
|---|---|---|
| Realized loss on transactions | $245,294 | $418,329 |
| Reserve adjustments | (139,807) | 257,336 |
| | $105,487 | $675,665 |

## SHARE OF EARNINGS OF SUBSIDIARIES

The proportionate share of the increase in net assets of subsidiary companies are taken up as credits to earned surplus. This amounted to $417,666 in 1950 (after provision for Unrealized Intercompany Profits of $500,000 and dividends received of $170,000) compared to $962,878 in 1949. (after dividend of $165,000). Increase in surplus by companies, is as follows:

| | 1950 | | 1949 | |
|---|---|---|---|---|
| | Total | IDS Share | Total | IDS Share |
| **ISA, Inc.** | | | | |
| Earnings from Operators | $752,080 | $752,027 | $589,409 | $589,367 |
| Realized Profit (loss) on Investments | (327,510) | (327,487) | 70,232 | 70,228 |
| Total | $424,570 | $424,540 | $659,641 | $659,595 |
| **I.S. of Canada, Ltd.** | | | | |
| Earnings from Operations | $247,977 | $247,965 | $222,112 | $222,101 |
| Realized Profit (loss) on Investments | 135,539 | 135,532 | -0- | -0- |
| Total | $383,516 | $383,497 | $222,112 | $222,101 |
| **I.S.T. & G. Co.** | | | | |
| Earnings from Operations | $ 58,269 | $ 56,404 | $133,909 | $129,624 |
| Surplus Adjustment | (27,665) | (26,780) | (2,570) | (2,488) |
| Total | $ 30,604 | $ 29,624 | $131,339 | $127,136 |
| **Mortgage Subsidiaries** | | | | |
| Earnings from Operations | $250,005 | $250,005 | $119,046 | $119,046 |
| Less Dividends Paid | 170,000 | 170,000 | 165,000 | 165,000 |
| Total | $ 80,005 | $ 80,005 | $(45,954) | $(45,954) |
| Grand Total | $918,695 | $917,666 | $967,138 | $962,878 |
| Less unrealized inter-company profits | | 500,000 | | |
| | | $417,666 | | |



1871

[fol. 1871]

1351

[fol. 1872]

Undistributed earnings of subsidiaries credited to Earned Surplus aggregated $4,164,971 at December 31, 1950 compared to $3,747,304 at December 31, 1949.

## GENERAL

| Total Assets of Investors Group were: | Dec. 31, 1950 | Dec. 31, 1949 | Increase (Decrease) |
|---|---|---|---|
| Investors Syndicate of America, Inc. | $158,365,892 | $129,202,370 | $ 29,163,522 |
| Investors Syndicate of Canada, Ltd.* | 39,679,551 | 29,854,961 | 9,824,590 |
| Investors Syndicate Title & Guar. Co. | 32,108,796 | 30,442,638 | 1,666,158 |
| Miscellaneous Subsidiaries* | 1,686,372 | 1,339,710 | 346,662 |
| Total Assets of Subsidiaries | $231,840,611 | $190,839,679 | $ 41,000,932 |
| Investors Mutual, Inc. | $237,973,471 | $177,159,150 | $ 60,814,321 |
| Investors Stock Fund, Inc. | 19,467,856 | 13,360,069 | 6,107,787 |
| Investors Selective Fund, Inc. | 6,734,507 | 1,663,590 | 5,070,917 |
| Investors Mutual of Canada* | 3,574,730 | -0- | 3,574,730 |
| Total Assets of Affiliates | $267,750,564 | $192,182,809 | $ 75,567,755 |
| Investors Diversified Services, Inc.* | $290,127,160 | $289,458,593 | $ 668,567 |
| Total Assets of all companies | $789,718,335 | $672,481,081 | $117,237,254 |

*Canadian Assets have been discounted by 5 5/8% in 1950 and by 10 1/2% in 1949.

| Sales of Investors Group were: | 1950 | 1949 | Increase (Decrease) |
|---|---|---|---|
| Subsidiary Companies (face amount): | | | |
| Investors Syndicate of America, Inc. | $161,658,630 | $143,898,207 | $ 17,760,423 |
| Investors Syndicate of Canada, Ltd. | 40,611,000 | 44,168,700 | (3,557,700) |
| Investors Syndicate Title & Guaranty Co. | 11,971,483 | 11,382,527 | 588,956 |
| Total Subsidiary Companies | $214,241,113 | $199,449,434 | $ 14,791,679 |
| Investment Funds (offering price): | | | |
| Investors Mutual, Inc. | $ 62,169,365 | $ 44,445,135 | $ 17,724,230 |
| Investors Stock Fund, Inc. | 5,926,888 | 3,595,475 | 2,331,413 |
| Investors Selective Fund, Inc. | 5,906,592 | 155,361 | 5,751,231 |
| Investors Mutual of Canada, Ltd. | 3,798,958 | -0- | 3,798,958 |
| Total Investment Funds | $ 77,801,803 | $ 48,195,971 | $ 29,605,832 |

| Employees and Sales Personnel were: | Dec.31, 1950 | Dec.31, 1949 | Increase (Decrease) |
|---|---|---|---|
| Employees | | | |
| Home Office | 866 | 817 | 49 |
| Regional Managers & Cert. Offices | 16 | 27 | (11) |
| Mortgage Agencies | 339 | 272 | 67 |
| Total | 1,221 | 1,116 | 105 |
| Sales Representatives | 1,923 | 1,791 | 132 |

## CONDENSED STATEMENT OF NET INCOME AND EARNED SURPLUS

| | Year Ending December 31, 1950 Projected | 1950 Actual | 1950 Percent | 1949 Actual | 1949 Percent | Increase (Decrease) |
|---|---|---|---|---|---|---|
| **INVESTMENT AND CERTIFICATE SERVICING OPERATIONS** | | | | | | |
| **Gross Income** | | | | | | |
| Income from investments | $12,326,100 | $12,594,881 | 94.47% | $11,911,707 | 93.20% | $ 683,174 |
| Certificate servicing income | 651,500 | 689,617 | 5.17 | 722,478 | 5.65 | (32,861) |
| Private Placement Fees | 20,000 | 47,500 | .36 | 146,449 | 1.15 | (98,949) |
| Gross Income | $12,997,600 | $13,331,998 | 100.00% | $12,780,634 | 100.00% | $ 551,364 |
| **Costs and Expenses** | | | | | | |
| Certificate reserve accumulation costs | $12,789,512 | $12,729,459 | 95.48% | $13,111,385 | 102.59% | $ (381,926) |
| Less recoveries on terminations | 320,930 | 327,346 | 2.45 | 188,419 | 1.48 | 138,927 |
| Net Cost | $12,468,582 | $12,402,113 | 93.03% | $12,922,966(2) | 101.11% | $ (520,853) |
| Direct investment and certificate servicing expenses | 362,000 | 338,034 | 2.53 | 362,011 | 2.83 | (23,977) |
| General and administrative expense - portion | 721,200 | 663,368 | 4.98 | 635,167 | 4.97 | 28,201 |
| Total costs and expense | $13,551,782 | $13,403,515 | 100.54% | $13,920,144 | 108.91% | $ (516,629) |
| INCOME FROM INVESTMENTS & CERTIFICATE SERVICING (1) | $ (554,182) | $ (71,517) | (.54)% | $(1,139,510)(2) | (8.91)% | $1,067,993 |
| **MORTGAGE OPERATIONS** | | | | | | |
| **Gross Income** | | | | | | |
| From subsidiary companies: | | | | | | |
| New loan fees | $ 639,500 | $ 820,396 | 8.34% | $ 447,538 | 10.34% | $ 372,858 |
| Service fees | 627,000 | 659,339 | 6.70 | 488,829 | 11.29 | 170,510 |
| Dividends on stock of mortgage companies | 500,000 | 170,000 | 1.73 | 165,000 | 3.81 | 5,000 |
| From others: | | | | | | |
| Premiums on sale of mortgages | 400,000 | 306,820 | 3.12 | 185,060 | 4.27 | 121,760 |
| Service fees | 392,500 | 402,877 | 4.10 | 254,565 | 5.88 | 148,312 |
| Commissions and participation project fees | 5,200,000 | 6,946,270 | 70.63 | 2,424,813 | 56.00 | 4,521,457 |
| Insurance commissions and other fees | 408,900 | 528,635 | 5.38 | 363,889 | 8.41 | 164,746 |
| Total Gross Income | $ 8,167,900 | $ 9,834,337 | 100.00% | $ 4,329,694 | 100.00% | $5,504,643 |
| **Cost and Expenses** | | | | | | |
| Branch office operating expenses | $ 1,055,000 | $ 1,111,169 | 11.30% | $ 815,404 | 18.83% | $ 295,765 |
| Service fees - subsidiary companies | 170,000 | 184,362 | 1.87 | 168,024 | 3.88 | 16,338 |
| Service fees - others | 160,000 | 170,936 | 1.74 | 268,029 | 6.19 | (97,093) |
| Commissions and premiums - subsidiary companies | 150,000 | 94,401 | .96 | 136,639 | 3.16 | (42,238) |
| Commissions and premiums - others | 50,000 | 72,446 | .74 | 64,895 | 1.50 | 7,551 |
| F.N.M.A. commitment fees | 350,000 | 220,709 | 2.24 | 461,937 | 10.67 | (241,228) |
| Servicing contract cancellation fees | 200,000 | 150,151 | 1.53 | 142,358 | 3.29 | 7,793 |
| Other direct expense | 160,000 | 173,115 | 1.76 | 181,885 | 4.20 | (8,770) |
| General and administrative expense - portion | 975,400 | 895,869 | 9.11 | 810,294 | 18.71 | 85,575 |
| Total costs and expense | $ 3,270,400 | $ 3,073,158 | 31.25% | $ 3,049,465 | 70.43% | $ 23,693 |
| INCOME FROM MORTGAGE OPERATIONS | $ 4,897,500 | $ 6,761,179 | 68.75% | $ 1,280,229 | 29.57% | $5,480,950 |

(1) Expenses applicable to mortgage investments owned by IDS have all been charged to mortgage operations due to difficulty of segregating these expenses.

(2) 1949 on an appropriation basis. If on accrual basis, net cost would have been increased $88,262 and loss from this activity would have been $1,227,772 instead of $1,139,510 as shown.

INVESTORS DIVERSIFIED SERVICES, INC.
SUMMARY OF OPERATIONS
CONDENSED STATEMENT OF NET INCOME AND EARNED SURPLUS (Continued)



| | Year Ending December 31, 1950 Projected | 1950 Actual | 1950 Percent | 1949 Actual | 1949 Percent | Increase (Decrease) |
|---|---|---|---|---|---|---|
| MANAGEMENT OPERATIONS | | | | | | |
| Gross Income | | | | | | |
| Management fees - subsidiary companies | $ 223,500 | $ 174,615 | 13.30% | $ 208,973 | 22.80% | $ (34,358) |
| Management fees - affiliated fund companies | 1,025,300 | 1,138,389 | 86.70 | 707,427 | 77.20 | 430,962 |
| Total gross income | $ 1,248,800 | $ 1,313,004 | 100.00% | $ 916,400 | 100.00% | $ 396,604 |
| Cost and Expenses | | | | | | |
| General and administrative expenses - portion | 503,300 | 461,190 | 35.12 | 359,322 | 39.21 | 101,868 |
| INCOME FROM MANAGEMENT OPERATIONS | $ 745,500 | $ 851,814 | 64.88% | $ 557,078 | 60.79% | $ 294,736 |
| DISTRIBUTION OPERATIONS | | | | | | |
| Gross Income | | | | | | |
| Distribution fees - subsidiary's certificates | $ 4,514,400 | $ 4,909,423 | 51.32% | $ 4,473,002 | 58.63% | $ 436,421 |
| Distribution fees - affiliated companies shares | 3,300,000 | 4,656,155 | 48.68 | 3,156,448 | 41.37 | 1,499,707 |
| Total gross income | $ 7,814,400 | $ 9,565,578 | 100.00% | $ 7,629,450 | 100.00% | $1,936,128 |
| Costs and Expenses | | | | | | |
| Commissions paid - subsidiary's certificates | $ 2,798,900 | $ 3,117,460 | 32.59% | $ 2,800,825 | 36.71% | $ 316,635 |
| Commissions paid - affiliated companies shares | 2,079,450 | 2,894,455 | 30.26 | 1,976,441 | 25.90 | 918,014 |
| Incentive pay to sales representatives | 290,000 | 400,174 | 4.18 | 305,744 | 4.01 | 94,430 |
| Other direct expenses | 654,000 | 1,095,983 | 11.46 | 683,538 | 8.96 | 412,445 |
| General and administrative expense - portion | 601,900 | 551,730 | 5.77 | 483,510 | 6.34 | 68,220 |
| Total costs and expenses | $ 6,424,250 | $ 8,059,802 | 84.26% | $ 6,250,058 | 81.92% | $1,809,744 |
| INCOME FROM DISTRIBUTION OPERATIONS | $ 1,390,150 | $ 1,505,776 | 15.74% | $ 1,379,392 | 18.08% | $ 126,384 |
| General and administrative expense - portion not allocated to specific operations | $ (486,800) | $ (446,808) | | $ (561,788) | | $ 114,980 |
| INCOME FROM OPERATIONS | $ 5,992,168 | $ 8,600,444 | | $ 1,515,401 | | $7,085,043 |
| Income credits (charges) | | 133,788 | | (113,129) | | 246,917 |
| INCOME BEFORE INCOME TAXES AND PROFIT (LOSS) ON INVESTMENT TRANSACTIONS | | $ 8,734,232 | | $ 1,402,272 | | $7,331,960 |
| Provision for Income Taxes | | 2,592,000 | | 324,000 | | 2,268,000 |
| INCOME BEFORE PROFIT (LOSS) ON INVESTMENT TRANSACTIONS | | $ 6,142,232 | | $ 1,078,272 | | $5,063,960 |

INVESTORS DIVERSIFIED SERVICES, INC.
SUMMARY OF OPERATIONS
CONDENSED STATEMENT OF NET INCOME AND EARNED SURPLUS (Continued)



| | Year Ending December 31, 1950 Actual | 1949 Actual | Increase (Decrease) |
|---|---|---|---|
| **PROFIT (LOSS) ON INVESTMENT TRANSACTIONS** | | | |
| Securities | $ (77,852) | $ (681,933) | $ (604,081) |
| Real Estate | (27,635) | 6,268 | (33,903) |
| TOTAL | $ (105,487) | $ (675,665) | $ 570,178 |
| **EARNED SURPLUS** | | | |
| Unappropriated | | | |
| Balance - beginning of period | Nil | Nil | -0- |
| Income before profit (loss) on investment transactions | $ 6,142,232 | $ 1,078,272 | $ 5,063,960 |
| Profit (loss) on investment transactions | (105,487) | (675,665) | 570,178 |
| Proportionate share of increase in net assets of subsidiary companies | 417,666 | 962,878 | (545,212) |
| Appropriation for special certificate reserve | (3,001,649) | (1,125,645) | (1,876,004) |
| Appropriation for reserve for contingencies | (1,557,016) | (239,840) | (1,317,176) |
| Balance - end of period | $ 1,895,746 | $ Nil | $ 1,895,746 |
| Appropriated for Contingencies | | | |
| Balance - beginning of period | $ 1,442,984 | $ 1,203,144 | $ 239,840 |
| Appropriated during period | 1,557,016 | 239,840 | 1,317,176 |
| Balance - end of period | $ 3,000,000 | $ 1,442,984 | $ 1,557,016 |

INVESTORS DIVERSIFIED SERVICES, INC.
SUMMARY OF OPERATIONS



## STATEMENT OF GENERAL AND ADMINISTRATIVE EXPENSE

| | Year Ending December 31, 1950 Actual | 1950 Percent | 1949 Actual | 1949 Percent | Increase (Decrease) |
|---|---|---|---|---|---|
| Salaries | $2,444,825 | 67.99% | $2,212,188 | 66.24% | $ 232,637 |
| Occupancy expense: | | | | | |
| Rent | 139,173 | 3.87 | 124,889 | 3.74 | 14,284 |
| Amortization of improvements | 10,027 | .28 | 4,676 | .14 | 5,351 |
| Alterations and repairs | 31,262 | .87 | 28,623 | .86 | 2,639 |
| Light and air-conditioning | 18,541 | .52 | 20,171 | .60 | (1,630) |
| Office supplies and expense | 123,412 | 3.43 | 90,254 | 2.70 | 33,158 |
| Printing and stationery | 106,378 | 2.96 | 107,886 | 3.23 | (1,508) |
| Depreciation on operating equipment | 63,744 | 1.77 | 54,803 | 1.64 | 8,941 |
| Travel expenses | 187,683 | 5.22 | 143,935 | 4.31 | 43,748 |
| Communications expense | 105,088 | 2.92 | 118,998 | 3.56 | (13,910) |
| Taxes - other than income | | | | | |
| Federal | 35,558 | .99 | 26,375 | .79 | 9,183 |
| State and local | 59,348 | 1.65 | 76,505 | 2.29 | (17,157) |
| Payroll | 35,780 | 1.00 | 23,990 | .72 | 11,790 |
| General insurance | 29,288 | .82 | 26,648 | .80 | 2,640 |
| Directors fees | 9,375 | .26 | 6,750 | .20 | 2,625 |
| Dues and donations | 14,788 | .41 | 12,640 | .38 | 2,148 |
| Outside services hired: | | | | | |
| Accounting fees | 40,279 | 1.12 | 39,631 | 1.19 | 648 |
| Advisory fees and expenses | 53,651 | 1.49 | 39,932 | 1.19 | 13,719 |
| Examination fees | 18,833 | .52 | 21,243 | .64 | (2,410) |
| Legal fees and expenses | 73,729 | 2.05 | 156,570 | 4.69 | (82,841) |
| Miscellaneous | (4,938) | (.14) | 2,876 | .09 | (7,814) |
| TOTAL GENERAL AND ADMINISTRATIVE EXPENSE | $3,595,824 | 100.00% | $3,339,583 | 100.00% | $ 256,241 |
| Less Charged to Subsidiary Companies | | | | | |
| Investors Syndicate of America, Inc. | $ 575,405 | 16.00% | $ 487,198 | 14.59% | $ 88,207 |
| Investors Syndicate of Canada, Ltd. | 1,454 | .04 | 1,666 | .05 | (212) |
| Investors Funding Corporation, Ltd. | - | | 38 | -0- | (38) |
| Investors Syndicate, Ltd. | - | | 600 | .02 | (600) |
| TOTAL | $ 576,859 | 16.04% | $ 489,502 | 14.66% | $ 87,357 |
| Remainder - Distributed to Operating Divisions: | | | | | |
| Investment and Certificate Servicing | $ 663,368 | 18.45% | $ 635,167 | 19.02% | $ 28,201 |
| Mortgage Operations | 895,869 | 24.91 | 810,294 | 24.26 | 85,575 |
| Management Operations | 461,190 | 12.83 | 359,322 | 10.76 | 101,868 |
| Distribution Operations | 551,730 | 15.34 | 483,510 | 14.48 | 68,220 |
| General | 446,808 | 12.43 | 561,788 | 16.82 | (114,980) |
| TOTAL | $3,018,965 | 83.96% | $2,850,081 | 85.34% | $ 168,884 |

INVESTORS DIVERSIFIED SERVICES, INC.
SUMMARY OF OPERATIONS



## CONDENSED COMPARATIVE BALANCE SHEET

| ASSETS | December 31, 1950 Amount | December 31, 1950 Percent | December 31, 1949 Amount | December 31, 1949 Percent | Increase (Decrease) December, 1950 over December, 1949 |
|---|---|---|---|---|---|
| **Current Assets** | | | | | |
| Cash | $ 13,098,575 | 4.51% | $ 4,861,179 | 1.68% | $ 8,237,396 |
| U.S. Government Bonds | 2,988,874 | 1.03 | 6,949,863 | 2.40 | (3,960,989) |
| Current Receivables | 3,707,776 | 1.28 | 3,171,426 | 1.10 | 536,350 |
| Total Current Assets | $ 19,795,225 | 6.82% | $ 14,982,468 | 5.18% | $ 4,812,757 |
| **Investments** | | | | | |
| Securities (Other than U.S. Gov't. Bonds) | | | | | |
| Bonds | $ 16,526,860 | 5.70% | $ 24,717,163 | 8.54% | $ (8,190,303) |
| Preferred Stocks | 18,351,372 | 6.33 | 21,726,552 | 7.51 | (3,375,180) |
| Common Stocks | 298,218 | .10 | 298,218 | .10 | -0- |
| Total Securities | $ 35,176,450 | 12.13% | $ 46,741,933 | 16.15% | $(11,565,483) |
| Mortgages | | | | | |
| FHA Insured First Mortgages | $ 59,534,365 | 20.52% | $ 72,799,365 | 25.15% | $(13,265,000) |
| G.I. Mortgages Partially Guaranteed | 52,265,983 | 18.02 | 31,277,946 | 10.80 | 20,988,037 |
| G.I. Mortgages Fully Guaranteed | 9,255,516 | 3.19 | 7,957,527 | 2.75 | 1,297,989 |
| Other First Mortgages on Real Estate | 93,169,649 | 32.11 | 96,670,073 | 33.40 | (3,500,424) |
| Total Mortgages | $214,225,513 | 73.84% | $208,704,911 | 72.10% | $ 5,520,602 |
| Certificate and Collateral Loans | $ 12,604,908 | 4.34% | $ 11,437,647 | 3.95% | $ 1,167,261 |
| Real Estate Owned and Under Sales Contract | $ 540,996 | .18% | $ 446,628 | .15% | $ 94,368 |
| Notes Receivable from Subsidiary Companies | $ 1,010,666 | .35% | $ 1,099,324 | .38% | $ (88,658) |
| Total Investments | $263,558,533 | 90.84% | $268,430,443 | 92.73% | $ (4,871,910) |
| **Other Assets** | | | | | |
| Investment in Subsidiary Companies | $ 5,733,056 | 1.98% | $ 5,284,959 | 1.83% | $ 448,097 |
| Operation Equipment and Improvements | 801,339 | .28 | 543,538 | .18 | 257,801 |
| Prepaid Expense, Supplies and Sundry | 239,007 | .08 | 217,185 | .08 | 21,822 |
| Total Other Assets | $ 6,773,402 | 2.34% | $ 6,045,682 | 2.09% | $ 727,720 |
| Total Assets | $290,127,160 | 100.00% | $289,458,593 | 100.00% | $ 668,567 |

INVESTORS DIVERSIFIED SERVICES, INC.
CONDENSED COMPARATIVE BALANCE SHEET (Cont'd.)

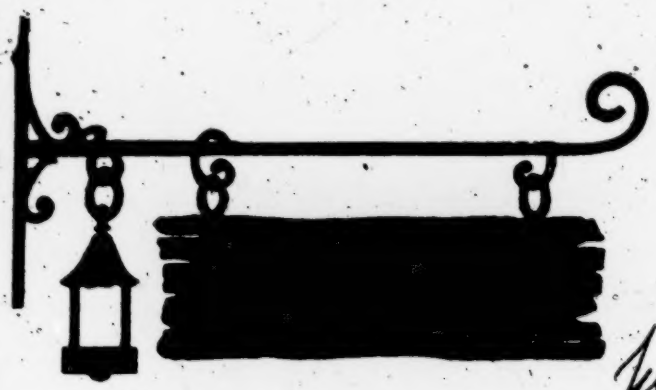


| | December 31, 1950 | | December 31, 1949 | | Increase (Decrease) December, 1950 over December, 1949 |
|---|---|---|---|---|---|
| | Amount | Percent | Amount | Percent | |
| **LIABILITIES AND RESERVES** | | | | | |
| Certificate Reserves | | | | | |
| Installment Certificates | $269,965,286 | 93.05% | $275,016,117 | 95.01% | $ (5,050,831) |
| Fully Paid Certificates | 8,531,164 | 2.94 | 8,943,379 | 3.09 | (412,215) |
| Total Certificate Reserves | $278,496,450 | 95.99% | $283,959,496 | 98.10% | $ (5,463,046) |
| Current Liabilities | $ 4,474,281 | 1.54% | $ 1,848,750 | .64% | $ 2,625,531 |
| Deferred Income | $ 806,960 | .28% | $ 753,640 | .26% | $ 53,320 |
| Total Liabilities and Reserves | $283,777,691 | 97.81% | $286,561,886 | 99.00% | $ (2,784,195) |
| **CAPITAL STOCK AND SURPLUS** | | | | | |
| Capital Stock | | | | | |
| Common $5.00 Par Value | $ 574,541 | .20% | $ 574,541 | .20% | $ -0- |
| Common, Class A, $5.00 Par Value | 879,182 | .30 | 879,182 | .30 | -0- |
| Reserve for Contingencies | 3,000,000 | 1.03 | 1,442,984 | .50 | 1,557,016 |
| Earned Surplus | 1,895,746 | .66 | Nil | - | 1,895,746 |
| Total Capital Stock and Surplus | $ 6,349,469 | 2.19% | $ 2,896,707 | 1.00% | $ 3,452,762 |
| Total Liabilities and Capital | $290,127,160 | 100.00% | $289,458,593 | 100.00% | $ 668,567 |

[fol. 1879]

IN THE UNITED STATES DISTRICT COURT

PLAINTIFFS' EXHIBIT No. 366 ID



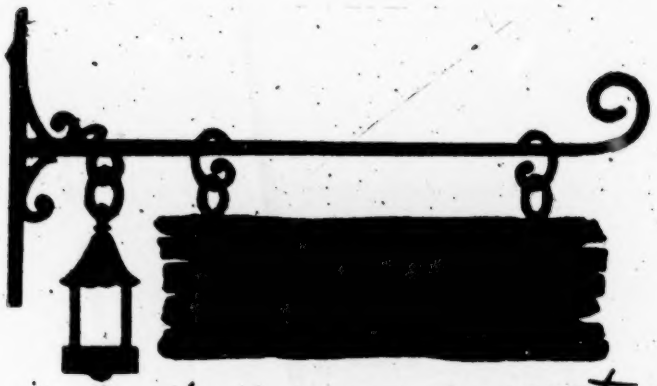
July 21 - 54

Dear Bob—

The enclosed letter from Mr. Waag with accompanying material is information relating to 1949 versus 1950 income and is forwarded in line with our talk following your meeting with Pomerance.

I suggest that you note among other things on page 2

2.



of the income account attached to the "Comments on Operations" for December 1950 that income from Operations, ie. before taxes on capital transactions, had been projected at $5992,168, but turned out to be $8,600,444. this may not be too helpful as income from Operations in 1949 was only $7,515,401.

If you want further information, please let me know.

Sincerely

Bob

1880

[fol. 1881]

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 376

OCTOBER 12, 1959

MR. THOMAS F. DALY,
LORD, DAY & LORD,
25 BROADWAY,
NEW YORK 4, N. Y.

DEAR MR. DALY:

DURING THE PAST WEEK THERE HAS BEEN A LOT OF CONVERSATION BY MANY PEOPLE IN REGARD TO THE PENDING SUIT. OUT OF THIS HAS COME A GREAT DEAL OF DIFFERENCE OF OPINION. THEREFORE, I WISH THAT YOU WOULD, TO THE BEST OF YOUR ABILITY, ANSWER THE FOLLOWING QUESTIONS:-

1: IF THE PHILLIPS' CAUSES OF ACTION GO TO TRIAL AND ARE LOST BY DEFENDANTS, WHAT WOULD YOU SAY WILL BE MR MAXIMUM LIABILITY?

2: WHAT DOES THE RECORD IN THE CASE SHOW TO BE THE LATEST OFFICIAL SETTLEMENT DEMANDS OF THE PHILLIPS GROUP?

3: WHAT WILL BE THE EFFECT ON ALLEGHANY AND MC IF THE ALLEGATIONS IN THE PHILLIPS SUIT AGAINST THE I.C.C. (THE "WASHINGTON" CASE) ARE SUSTAINED IN WHOLE OR IN PART AND WILL THE EVIDENCE INTRODUCED IN THE WASHINGTON CASE BE GENERALLY ADMISSIBLE IN THE NEW YORK CASE BEFORE THE REFEREE?

4: IS THERE ANY SUBSTANTIAL DANGER OF ALLEGHANY'S CONTROL OF CENTRAL BEING DIVESTED OR OTHERWISE AFFECTED BY THE TWO SUITS?

5: IS PHILLIPS STILL FORMALLY REQUESTING A RECEIVERSHIP FOR ALLEGHANY ON THE GROUNDS OF MISMANAGEMENT?

6: IS THERE ANY REASONABLY FORSEEABLE END TO THE NEW YORK CASE, KEEPING IN MIND THE POSSIBLE EVENTUAL REJECTION OF ANY SETTLEMENT BY JUDGE DIMOCK, THE RESULTING NECESSITY OF

TRIAL OF THE ISSUES, AND THE PROBABILITY OF A SERIES OF APPEALS? BETWEEN THE TIME THE CASE FIRST APPEARED BEFORE THE REFEREE AND JUDGE DIMOCK'S DECISION OF LAST WEEK FOUR YEARS HAVE EXPIRED. CAN THERE BE ANY SUBSTANTIAL ASSURANCE IT WILL NOT TAKE AT LEAST AS LONG TO FINALLY CONCLUDE THE CASE?

7. UNDER THE MOST UNFAVORABLE ESTIMATE OF THE TIME REQUIRED TO CONCLUDE THE NEW YORK CASE WHAT WOULD BE THE APPROXIMATE LEGAL EXPENSES INVOLVED?

AS SOON AS YOU ARE READY WITH THE ANSWERS TO THE ABOVE QUESTIONS, LET ME KNOW AND WE'LL GET TOGETHER AND TALK IT ALL OVER, WITH NO ONE ELSE BEING PRESENT. WE CAN, OF COURSE, CALL IN ANYONE FROM THE OUTSIDE AT THE END OF THE CONVERSATION, IF WE THINK IT ADVISABLE TO DO SO.

BEST REGARDS.

SINCERELY YOURS,

APK.S

COPY

IN THE UNITED STATES DISTRICT COURT

PLAINTIFFS' EXHIBIT No. 392

BRESWICK & CO. et al.

vs. Civ. 98-371

O. HENRY BRIGGS, et al.

New York, December 24, 1959,
12:35 P.M.

Before:

HON. EDWARD J. DIMOCK,
District Judge.

--

THE COURT: I do approve the settlement as outlined by counsel for the respective parties. I do direct that the so-called stay or injunction against the use of the State Court proceedings as a defense in the cases in this court be lifted.

In so far as it is within my power I make that an order of this court, made in open court, which can be presented to the State Court by way of a certified copy of the reporter's minutes.

So ordered

E J Dimock

U. S. D. J.

1364
[fol. 1884]

IN THE UNITED STATES DISTRICT COURT
PLAINTIFFS' EXHIBIT No. 396

RESOLUTIONS OF EXECUTIVE COMMITTEE
OF BOARD OF DIRECTORS OF
ALLEGHANY CORPORATION

October 7, 1960

The undersigned members of the Executive Committee of the Board of Directors of Alleghany Corporation do hereby adopt the following resolutio

RESOLVED, that this Executive Committee does hereby approve that t appropriate officers of the Corporation take all steps deemed by them to b necessary or proper to contest and defend the Corporation against the foll ing lawsuits in which this Corporation is a party defendant:

1. Theodore F. Freeman and Samuel Manaster, as stockholders of Alleghany Corporation, on behalf of themselves and all other stockholders of Alleghany Corporation similarly situated against Allan P. Kirby, Randolph Phillips, Charles T. Ireland, Jr., and Alleghany Corporation now pending in the United States District Court for the Southern District of New York.

2. Theodore F. Freeman and Samuel Manaster, as stockholders of Alleghany Corporation, on behalf of themselves and all other stockholders of Alleghany Corporation similarly situated against Allan P. Kirby, Randolph Phillips, Charles T. Ireland, Jr., and Alleghany Corporation now pending in the Supreme Court of the State of New York, County of New York.

3. John D. Murchison and Clint W. Murchison, Jr., co-partners, d/b/a Murchison Brothers, and Gerard L. Fossland, as stockholders of Alleghany Corporation, on behalf of themselves and all other stockholders similarly situated against Allan P. Kirby, Randolph Phillips, Fred M. Kirby, Charles T. Ireland, Jr., Charles T. Hill, Alfred E. Perlman, William G. Rabe, Joseph M. Fitzsimmons, Anthony Smith and Alleghany Corporation now pending in the United States District Court for the Southern District of New York; and further

RESOLVED, that the institution and prosecution of these three law is against the judgment and policy of the Corporation as evidenced by th

Page Tightly Bound

[fol. 1885]

e Board of Directors of the Corporation taken on December 2[illegible], 195[illegible], oving and ratifying the settlements which these three lawsuits see[illegible] pset, and is against the interests of the Corporation.

Allan P. Kirby

Fred M. Kirby

Charles T. Hill

William G. Rabe

Charles T. Ireland, Jr.